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Roanoke County Administration Center  
5204 Bernard Drive  
Roanoke, Virginia 24018

The Board of Supervisors of Roanoke County, Virginia met this day at the Roanoke County Administration Center, this being the fourth Tuesday and the first regularly scheduled meeting of the month of August 2011. Audio and video recordings of this meeting will be held on file for a minimum of five (5) years in the office of the Clerk to the Board of Supervisors.

**IN RE:        CALL TO ORDER**

Chairman Church called the meeting to order at 3:00 p.m. The roll call was taken.

**MEMBERS PRESENT:**    Chairman Joseph B. "Butch" Church; Supervisors Michael W. Altizer, Eddie "Ed" Elswick, Charlotte A. Moore and Richard C. Flora

**MEMBERS ABSENT:**     None

**STAFF PRESENT:**        B. Clayton Goodman III, County Administrator; Diane D. Hyatt, Assistant County Administrator; Daniel R. O'Donnell, Assistant County Administrator; Paul M. Mahoney, County Attorney; Teresa H. Hall, Director of Public Information and Deborah C. Jacks, Clerk to the Board

**IN RE:        OPENING CEREMONIES**

The invocation was given by Pastor Bryan Ratliff of Clearbrook Baptist Church. The Pledge of Allegiance was recited by all present.

**IN RE:        BRIEFINGS**

**1. Introduction of Doug Blount, Associate Director of Parks, Recreation and Tourism (Pete Haislip, Director of Parks, Recreation and Tourism)**

B. Clayton Goodman, County Administrator introduced Doug Blount, the recently appointed Associate Director of Parks, Recreation and Tourism. All Supervisors welcomed Mr. Blount.

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**IN RE: REQUEST FOR PUBLIC HEARINGS AND FIRST READING OF  
REZONING ORDINANCES - CONSENT AGENDA**

- 1. The petition of Scott and Debbie George to rezone approximately 5.02 acres from R-1, Low Density Residential, District to AR, Agricultural/Residential, District, located at 4211 Harborwood Road, Catawba Magisterial District**

Chairman Church moved to approve the first reading and scheduled the second reading and public hearing for September 27, 2011. There was no discussion.

**IN RE: FIRST READING OF ORDINANCES**

- 1. Ordinance to accept the conveyance of thirteen (13) parcels of unimproved real estate for the extension of Alcoa Road to the Board of Supervisors and to authorize the addition thereof to the State Secondary System of Highways, Vinton Magisterial District (Arnold Covey, Director of Community Development)**

Mr. Covey outlined the ordinance and explained this is a rural addition project. Supervisor Altizer moved to approve the first reading and scheduled the second reading and public hearing for September 13, 2011.

**IN RE: SECOND READING OF ORDINANCES**

- 1. Ordinance amending Chapter 13 – “Offences-Miscellaneous” Article I – “In General” of the Roanoke County Code to provide for regulation of pneumatic guns in Roanoke County (Paul M. Mahoney, County Attorney)**

Mr. Mahoney advised the first reading of this ordinance was held on July 26, 2011, and there had been no changes from the first reading. Mr. Mahoney explained this ordinance is to allow Roanoke County to parallel the State code.

**ORDINANCE 082311-1 AMENDING CHAPTER 13 –  
“OFFENSES-MISCELLANEOUS” ARTICLE I – “IN GENERAL”  
OF THE ROANOKE COUNTY CODE TO PROVIDE FOR  
REGULATION OF PNEUMATIC GUNS IN ROANOKE COUNTY**

WHEREAS, the 2011 session of the Virginia General Assembly adopted SB757 which bans any locality from adopting an ordinance that prohibits the shooting of pneumatic guns on private property, with permission of the owner of the property, if

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reasonable care is taken to prevent a projectile from crossing the bounds of the property; and

WHEREAS, this legislation also invalidates any local ordinances that conflict with it; and

WHEREAS, it is necessary to amend the Roanoke County Code in order to bring it into compliance with this mandate from the General Assembly; and

WHEREAS, the first reading of this ordinance was held on July 26, 2011; and the second reading was held on August 9, 2011.

BE IT ORDAINED by the Board of Supervisors of Roanoke County, Virginia, as follows:

1. That Chapter 13 – “Offenses-Miscellaneous” Article 1 – “In General” be amended to read and provide as follows:

Sec. 13-4. - Discharge of firearms or any similar gun or device, generally.

(a) It shall be unlawful for any person to shoot or discharge any firearm, or any other similar gun or device within the limits of the county, except when lawfully hunting in accordance with the fish and game laws of the state or when safely engaged in target practice or when lawfully and safely engaged in shooting upon a range or gallery which has been properly licensed or approved or when shooting in a match conducted in accord with article III of chapter 4 of this Code.

(b) Any person violating this section shall be guilty of a Class 1 misdemeanor. In addition, the court in which the case is prosecuted may, in its discretion, confiscate the firearm, gun or device in question.

(c) This section shall not apply to federal, state or local law-enforcement officers in the performance of their duties.

2. That a new Section 13-4.1. – “Pneumatic guns” be adopted to read and provide as follows:

Sec. 13-4.1. - Pneumatic guns.

(a) As used in this section, "pneumatic gun" means any implement, designed as a gun that will expel a BB or a pellet by action of pneumatic pressure. "Pneumatic gun" includes a paintball gun that expels by action of pneumatic pressure plastic balls filled with paint for the purpose of marking the point of impact.

(b) Pneumatic guns may be used at facilities approved for shooting ranges, or on or within private property with permission of the owner or legal possessor. Use thereof must be conducted with reasonable care to prevent a projectile from crossing the bounds of the property. "Reasonable care" means that the gun is being discharged so that the projectile will be contained on the property by a backstop, earthen embankment, or fence. The discharge of projectiles across or over the bounds of the property shall create the rebuttable presumption that the use of the pneumatic gun was not conducted with reasonable care. Minors may use such implements only under the following conditions:

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(1) Minors under the age of 16 must be supervised by a parent, guardian, or other adult supervisor approved by a parent or guardian and shall be responsible for obeying all laws, regulations, and restrictions governing the use thereof.

(2) Minors 16 years of age and older must have the written consent of a parent or guardian and shall be responsible for obeying all laws, regulations and restrictions governing the use thereof.

(3) Training of minors in the use of pneumatic guns shall be done only under direct supervision of a parent, guardian, junior reserve officers training corps instructor, or a certified instructor. Training of minors above the age of 16 may also be done without direct supervision if approved by the minor's instructor, with the permission of and under the responsibility of a parent or guardian, and in compliance with all requirements of this section. Ranges and instructors may be certified by the National Rifle Association, a state or federal agency that has developed a certification program, any service of the Department of Defense and similar groups approved by the chief of police, or any person authorized by these authorities to certify ranges and instructors.

(4) Commercial or private areas designated for use of pneumatic paintball guns may be established and operated for recreational use in areas where such facilities are permitted by the county's zoning ordinance. Equipment designed to protect the face and ears shall be provided to participants at such recreational areas, and signs must be posted to warn against entry into the paintball area by persons who are unprotected or unaware that paintball guns are in use.

(c) A violation of this section shall constitute class 3 misdemeanor.

3. That this ordinance shall be in full force and effect from and after its adoption.

On motion of Supervisor Moore to adopt the resolution, and carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church

NAYS: None

**IN RE: APPOINTMENTS**

**1. Capital Improvement Program (CIP) Review Committee (appointed by District)**

Supervisor Elswick appointed James Gray to represent the Windsor Hills Magisterial District to a one-year term that will expire August 31, 2012. Supervisor Moore reappointed Gene Marrano to represent the Cave Spring Magisterial District for an additional one-year term that will expire August 31, 2012.

**2. Clean Valley Council**

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Supervisor Moore has reappointed Adam Cohen as the County appointee for an additional two-year term that will expire June 30, 2013. Confirmation has been added to the Consent Agenda.

**3. Parks, Recreation and Tourism Advisory Commission (appointed by District)**

Chairman Church and Supervisor Flora appointed Deborah George as the At-Large representative for a three-year term that will expire on June 30, 2014.

**IN RE: CONSENT AGENDA**

**RESOLUTION 082311-2 APPROVING AND CONCURRING IN CERTAIN ITEMS SET FORTH ON THE BOARD OF SUPERVISORS AGENDA FOR THIS DATE DESIGNATED AS ITEM I- CONSENT AGENDA**

BE IT RESOLVED by the Board of Supervisors of Roanoke County, Virginia, as follows:

That the certain section of the agenda of the Board of Supervisors for August 23, 2011, designated as Item I - Consent Agenda be, and hereby is, approved and concurred in as to each item separately set forth in said section designated Items 1 through 12 inclusive, as follows:

1. Approval of Minutes – 07-12-2011; 07-26-2011
2. Request from the Fire and Rescue Department to accept and appropriate funds in the amount of \$130,000 for grant number WV-CO1/06-11 from the Virginia Department of Health
3. Resolution expressing the appreciation of the Board of Supervisors of Roanoke County to Joy A. Jenkins, Eligibility Worker – Social Services upon her retirement after five years of service
4. Resolution expressing the appreciation of the Board of Supervisors of Roanoke County to Anne L. Wagner, Assistant Registrar, upon her retirement after more than seventeen (17) years of service
5. Resolution expressing the appreciation of the Board of Supervisors of Roanoke County to Harold (Huck) W. Ewers, Police Lieutenant – Vice Unit, upon his retirement after more than twenty-six (26) years of service
6. Request to appropriate funds in the amount of \$474 to the Roanoke County Public Schools
7. Confirmation of appointments to the Capital Improvement Program (CIP) Review Committee (appointed by District); Clean Valley Council; Parks, Recreation and Tourism Advisory Commission; Virginia's First Regional Industrial Facility Authority

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8. Request to accept and appropriate \$91,700.25 in contributions from The Town of Vinton toward the shared purchase of a replacement ambulance
  9. Request to accept and appropriate \$1,617,760 from the City of Roanoke for radio reimbursement
  10. Resolution requesting restoration of State funding for Aid to Localities
  11. Resolution amending Resolution 102610-5 appointing the Authority Board Members for the South Peak Community Development authority
  12. Request to accept and appropriate a donation in the amount of \$5,000 for the Roanoke County Public Library

On motion of Supervisor Altizer to adopt the resolution, and carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church  
NAYS: None

**A-082311-2.a**

**RESOLUTION 082311-2.b EXPRESSING THE APPRECIATION  
OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY  
TO JOY A. JENKINS, ELIGIBILITY WORKER – SOCIAL  
SERVICES, UPON HER RETIREMENT AFTER FIVE YEARS OF  
SERVICE**

WHEREAS, Joy A. Jenkins was hired on July 10, 2006 in the Social Service Department as an Eligibility Worker; and

WHEREAS, Ms. Jenkins retired on August 1, 2011, after five years of devoted, faithful and expert service with the County; and

WHEREAS, during her time serving Roanoke County's Social Services Department, Ms. Jenkins functioned as a policy resource for the eligibility unit and was known throughout the State for her profound knowledge of the Supplemental Nutrition Assistance Program. She was instrumental in developing numerous case management tools that contributed to the department successfully meeting the State and Federal timeliness and accuracy goals for the processing of benefit program applications. She was a wonderful mentor to those around her and set the standard for all eligibility workers to follow; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Roanoke County, Virginia expresses its deepest appreciation and the appreciation of the citizens of Roanoke County to **JOY A. JENKINS** for five years of capable, loyal and dedicated service to Roanoke County; and

FURTHER, the Board of Supervisors does express its best wishes for a happy and productive retirement.

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On motion of Supervisor Altizer to adopt the resolution, and carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church  
NAYS: None

**RESOLUTION 082311-2.c EXPRESSING THE APPRECIATION  
OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY  
TO ANNE L. WAGNER, ASSISTANT REGISTRAR, UPON HER  
RETIREMENT AFTER MORE THAN SEVENTEEN YEARS OF  
SERVICE**

WHEREAS, Anne L. Wagner, was hired on July 5, 1994, as a Permits Clerk in the Engineering Department and held positions as Treasurer Clerk I and Treasurer Clerk II in the Treasurer's office and was promoted to Assistant Registrar on May 20, 2002; and

WHEREAS, Ms. Wagner retired on August 1, 2011, as the Assistant Registrar in the Registrar's Office after seventeen years and one month of devoted, faithful and expert service with the County; and

WHEREAS, during her time serving Roanoke County as Assistant Registrar, the number of registered voters in Roanoke County grew from 58,834 to 66,522; and

WHEREAS, Ms. Wagner served in the Elections department though many changes, including institution of new touch screen voting equipment in 2003, a tremendous advancement in the voting process, and institution of electronic pollbooks in 2010, expediting the voter check-in process.

WHEREAS, during her time serving Roanoke County as Assistant Registrar, Ms. Wagner completed courses through The Election Center, Houston, Texas, and the Voter Registrars Association of Virginia, and attained the certification of Virginia Registered Election Official.

She is the recipient of the "Extra Mile Club" award for providing outstanding customer service to the employees and citizens of Roanoke County; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Roanoke County, Virginia expresses its deepest appreciation and the appreciation of the citizens of Roanoke County to **ANNE L. WAGNER** for more than seventeen years of capable, loyal and dedicated service to Roanoke County; and

FURTHER, the Board of Supervisors does express its best wishes for a happy and productive retirement.

On motion of Supervisor Altizer to adopt the resolution, and carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church  
NAYS: None

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**RESOLUTION 082311-2.d EXPRESSING THE APPRECIATION  
OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY  
TO HAROLD “HUCK” W. EWERS, POLICE LIEUTENANT – VICE  
UNIT, UPON HIS RETIREMENT AFTER MORE THAN TWENTY-  
SIX YEARS OF SERVICE**

WHEREAS, Harold “Huck” W. Ewers was employed by Roanoke County on December 11, 1984, as a Deputy Sheriff in the Sheriff’s Office; and

WHEREAS, Lieutenant Ewers continued his law enforcement service by transferring to the newly established Police Department in 1990 where he served as Police Officer, Criminal Investigator, Police Officer-Sergeant in the Uniform Patrol Division, Criminal Investigation Unit, and the Vice Unit, and Police Officer-Lieutenant in the Vice Unit; and

WHEREAS, Lieutenant Ewers retired on June 1, 2011, from the Police Department after twenty-six years and five months of dutiful, faithful, and expert service with the County; and

WHEREAS, during his time serving Roanoke County, Lieutenant Ewers performed a crucial role in protecting the life and property of citizens by honorably serving as a Police Officer; and

WHEREAS, Lieutenant Ewers, through his employment with Roanoke County, has been instrumental in improving the quality of life for its citizens

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Roanoke County, Virginia expresses its deepest appreciation and the appreciation of the citizens of Roanoke County to **HAROLD “HUCK” EWERS** for more than twenty-six years of capable, loyal, and dedicated service to Roanoke County; and

FURTHER, the Board of Supervisors does express its best wishes for a happy and productive retirement.

On motion of Supervisor Altizer to adopt the resolution, and carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church

NAYS: None

**A-082311-2.e**

**A-082311-2.f**

**A-082311-2.g**

**A-082311-2.h**



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**RESOLUTION 082311-2.i REQUESTING RESTORATION OF  
STATE FUNDING FOR AID TO LOCALITIES**

WHEREAS, state financial assistance for mandated and high priority programs, including public education, health and human services, public safety and constitutional officers, is \$800 million less in fiscal year 2012 than in fiscal year 2009; and

WHEREAS, cities and counties must balance their budgets during a time in which future state assistance is unreliable, federal stimulus dollars are dwindling, and real estate assessments are declining; and

WHEREAS, the Appropriation Act contains \$60 million in across-the-board cuts to cities and counties for both fiscal year 2011 and fiscal year 2012, under which localities are required to either elect to take reductions in particular state aid programs, or to send the State a check for the amounts determined by the Department of Planning and Budget ("Local Aid to the State"); and

WHEREAS, the reductions are applied to essential services, including law enforcement, jail administration, foster care and child protection services, election administration and social services; and

WHEREAS, the County of Roanoke does not have the authority to unilaterally decide to discontinue providing services such as election administration or to refuse to house and care for State prisoners in local and regional jails; and

WHEREAS, the state budget cuts are not accompanied by any reductions in state-imposed mandates, standards and service requirements, nor do they provide any administrative flexibility for local agencies; and

WHEREAS, the County of Roanoke remitted \$569,796 in fiscal year 2011 and will be required to remit another \$556,580 in fiscal year 2012; and

WHEREAS, cities and counties will have provided the State with \$220 million by the close of fiscal year 2012 for this "Local Aid to the State" program; and

WHEREAS, these reductions shift State costs to local taxpayers and artificially increases the amount of state surplus revenue; and

WHEREAS, State revenues have begun to recover and the State is expecting to have a revenue surplus for the second year in a row; and

WHEREAS, revenue collections for the County of Roanoke continue to reflect the struggling housing market; and

WHEREAS, the State should not shift its share of the costs for mandates and responsibilities to local governments.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Roanoke County asks Governor Bob McDonnell to submit a budget amendment to the 2012 session of the General Assembly to reverse the \$60 million-a-year reduction for the current year, fiscal year 2012, and to eliminate the aid to localities reduction in the budget submitted for fiscal year 2013 and fiscal year 2014; and

FURTHER, be it resolved, that the members of the General Assembly support a budget amendment to the 2012 session of the General Assembly to reverse the \$60

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million-a-year reduction for the current year, fiscal year 2012, and to eliminate the aid to localities reduction in the budget submitted for fiscal year 2013 and fiscal year 2014.

On motion of Supervisor Altizer to adopt the resolution, and carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church  
NAYS: None

**RESOLUTION 082311-2.j AMENDING RESOLUTION 102610-5  
APPOINTING THE AUTHORITY BOARD MEMBERS FOR THE  
SOUTH PEAK COMMUNITY DEVELOPMENT AUTHORITY**

WHEREAS, Resolution 102610-5 adopted by the Board of Supervisors on October 26, 2010, appointed five individuals to serve on the authority board for the South Peak Community Development Authority; and

WHEREAS, since the appointment one of the appointees, Doug Chittum, has retired from his position at Roanoke County and has indicated he will withdraw from serving on this board; and

WHEREAS, the Board of Supervisors may remove at any time, without cause, any member appointed by it and may appoint a successor member to fill the unexpired portion of the removed member's term.

NOW, THEREFORE, be it resolved by the Board of Supervisors of Roanoke County that this Board hereby appoints the following member to the South Peak Community Development Authority to replace Doug Chittum for the remainder of a four (4) year term expiring on October 25, 2014:

B. Clayton Goodman III

BE IT FURTHER resolved that the Clerk to the Board be, and hereby is, directed to send a copy of this resolution to the individual named herein and the other members of the South Peak Community Development Authority.

On motion of Supervisor Altizer to adopt the resolution, and carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church  
NAYS: None

**A-082311-2.k**

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**IN RE:       REPORTS**

Supervisor Flora moved to receive and file the following reports. The motion carried by the following recorded vote:

AYES:       Supervisors Moore, Altizer, Flora, Elswick, Church

NAYS:       None

- 1. General Fund Unappropriated Balance**
- 2. Capital Reserves**
- 3. Reserve for Board Contingency**
- 4. Treasurer's Statement of Accountability per Investment and Portfolio Policy as of July 31, 2011**
- 5. Comparative Statement of Budgeted and Actual Expenditures and Encumbrances for the month ended July 31, 2011**
- 6. Comparative Statement of Budgeted and Actual Revenues for the month ended July 31, 2011**
- 7. Accounts paid – July 2011**

**IN RE:       CLOSED MEETING**

At 3:15 p.m., Chairman Church moved to go into closed meeting following the work sessions pursuant to the Code of Virginia Section 2.2-3711 A Discussion concerning the appointments to the Virginia Western Community College Board. The motion carried by the following recorded vote:

AYES:       Supervisors Moore, Altizer, Flora, Elswick, Church

NAYS:       None

The closed session was held from 3:33 p.m. until 3:43 p.m.

**IN RE:       CERTIFICATION RESOLUTION**

At 6:00 p.m., Chairman Church moved to return to open session and adopt the certification resolution.

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**RESOLUTION 082311-3 CERTIFYING THE CLOSED MEETING  
WAS HELD IN CONFORMITY WITH THE CODE OF VIRGINIA**

WHEREAS, the Board of Supervisors of Roanoke County, Virginia has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Board of Supervisors of Roanoke County, Virginia, that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Roanoke County, Virginia, hereby certifies that, to the best of each member's knowledge:

1. Only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting which this certification resolution applies; and

2. Only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors of Roanoke County, Virginia.

On motion of Supervisor Church to adopt the resolution, and carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church

NAYS: None

**IN RE: PUBLIC HEARINGS AND SECOND READINGS OF ORDINANCES**

Chairman Church reminded the audience of certain guidelines regarding speaking and the light system and the three (3) minute deadline that were unanimously agreed to by the Board of Supervisors. Chairman Church then stated based on the number of speakers, there will probably be at least three and one half hours of citizens speakers. Mr. Church then made a change to the order of speakers and advised any person that needs assistance will be moved to the front to speak. Mr. Church indicated he would call out the speakers approximately three (3) at a time in case there are speakers located upstairs. There are three seats reserved on the front row for the speakers getting ready to speak. A ten-minute break will be taken hopefully once an hour, for continuity it will be done approximately ten minutes before the hour and expect to be back and begin on the hour. Chairman Church explained that in the event of any aftershocks from the earthquake that took place this afternoon, the building would be immediately evacuated. He explained depending on the time of the last speaker for the public hearing and the closing of the public hearing, the Board may continue this ordinance to the September 13, 2011, meeting at 7:00 p.m. There will not be another public hearing on September 13, 2011, if the public hearing has been closed.

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**1. The petition of the Roanoke County Economic Development Authority to remove the proffered conditions on approximately 59.13 acres zoned I-1C, Low Intensity Industrial, District with conditions, located at 4022 Integrity Drive and 4050 Integrity Drive, Vinton Magisterial District (Philip Thompson, Deputy Director of Planning)**

Mr. Thompson outlined the petition is to remove the fourteen (14) proffered conditions from the original 1990 special use permit. He explained the other properties in the area with similar proffered conditions have been removed.

Supervisor Altizer stated many of these conditions no longer pertain anymore. There were no objections.

Chairman Church opened and closed the public hearing and there were no citizens to speak on this matter.

**ORDINANCE 082311-4 REMOVING THE PROFFERED CONDITIONS ON APPROXIMATELY 59.13 ACRES OF REAL ESTATE ZONED I-1C, LOW INTENSITY INDUSTRIAL DISTRICT, LOCATED IN VALLEY GATEWAY PARK AT 4022 & 4050 INTEGRITY DRIVE (TAX MAP NOS. 50.01-01-5.07 AND 50.01-01-5.00), VINTON MAGISTERIAL DISTRICT**

WHEREAS, on February 27, 1990, the Board of Supervisors adopted Ordinance #22790-6 changing the zoning classification of approximately 105 acres of real estate located between Route 11/460 and Carson Road (now known as Valley Gateway Park) from RE, Residential Estates, to M-1C, Manufacturing with conditions, upon the application of the Board of Supervisors of Roanoke County; and

WHEREAS, the Applicant, the Roanoke County Economic Development Authority, and the Property Owners, Roanoke Gateway, LLC and Integrity Windows, Inc., have petitioned the Board to remove the proffered conditions from the 1990 rezoning on the remaining approximately 59.13 acres; and

WHEREAS, the Planning Commission held a public hearing on this matter on June 7, 2011; and

WHEREAS, the first reading of this ordinance was held on July 26, 2011, and the second reading and public hearing was held on August 23, 2011; and

WHEREAS, legal notice and advertisement has been provided as required by law.

BE IT ORDAINED by the Board of Supervisors of Roanoke County, Virginia, as follows:

1. That the following proffered conditions on that certain tract of real estate containing approximately 59.13 acres located at the 4022 and 4050 Integrity Drive (Tax

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Map Nos. 50.01-01-5.07 and 50.01-01-5.00), Vinton Magisterial District, are hereby **REMOVED**:

- a. The property will not include permitted uses for:
  - i. Manufacture of pottery and figurines or other similar ceramic products
  - ii. Veterinary hospital and commercial kennels with exterior runs and yards
  - iii. Outside flea markets, unless a special exception has been granted by the Board of Supervisors
- b. That all locational signage [Sec. 21-93(D)] will be aesthetically pleasing and be no more than forty (40) square feet in sign face and no more than eight (8) feet in height. Outdoor advertising signs (billboards) will be prohibited.
- c. That all utilities will be underground.
- d. That there will be no on-street parking.
- e. That there will be sufficient truck loading spaces designed for each building site, as necessary.
- f. That the Petitioner will evaluate the drainage situation for the subject tracts and implement a design for drainage facilities to either retain or detail the two (2) year storm (as required by Roanoke County) and the retention or detention for a ten (10) year storm.
- g. That primary access to the property will be limited to Route 460.
- h. Building placement and parking will be designed to not impede the future widening of one additional land along routes 460 and 758.
- i. Should out-parcels be subdivided along Route 460 frontage (Parcel A), access will be provided via an internal road network plan utilizing the existing median cut on Route 460.
- j. Type E (Option 2) buffer and screening requirements will be provided between Parcel "A" and single family residences. All Roanoke County screening and buffering requirements will be implemented as specific development occurs.
- k. Existing oak trees on Parcel "A" will be preserved to the extent allowing for feasible development of the subject parcel.
- l. All internal thoroughfares will be designed and constructed to VDOT standards for future dedication.
- m. Dust mitigation controls will be implemented during site excavation activities.
- n. The developer will cooperate with the Roanoke County Utility Department to provide necessary utility easement(s) for a sanitary sewer submain along Route 758 (Carson Road) at a mutually agreed upon location.
2. That this action is taken upon the application of the Roanoke County Economic Development Authority, Roanoke Gateway, LLC and Integrity Windows, Inc.

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3. That said real estate contains approximately 59.13 acres and is located in Valley Gateway Park and is further described as Tax Map Nos. 50.01-01-5.07 and 50.01-01-5.00.

4. That this ordinance shall be in full force and effect thirty days after its final passage. All ordinances or parts of ordinances in conflict with the provisions of this ordinance be, and the same hereby are, repealed. The zoning administrator is directed to amend the zoning district map to reflect the change in zoning classification authorized by this ordinance.

On motion of Supervisor Altizer to adopt the ordinance, and carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church

NAYS: None

**2. The petition of the Roanoke Council of Garden Clubs, Inc. to amend the proffered conditions on approximately 2.6 acres zoned C-1C, Commercial, District with conditions, and to obtain a special use permit for religious assembly, located at 3640 Colonial Avenue, Cave Spring Magisterial District (Philip Thompson, Deputy Director of Planning)**

Mr. Thompson outlined the petition and advised the amendment to the proffered conditions were for a better use for the facility to the community. Mr. Thompson introduced Mr. David Helshire, attorney for the Roanoke Council of Garden Clubs. Mr. Helshire advised he and members of the Garden Club were available to answer any questions.

Supervisor Moore advised this building has been in existence for seven years and always well maintained and the citizens were in agreement. There was no discussion.

Chairman Church opened and closed the public hearing and there were no citizens to speak on this agenda item.

**ORDINANCE 082311-5 AMENDING THE PROFFERED CONDITIONS ON APPROXIMATELY 2.6 ACRES OF REAL ESTATE ZONED C-1C, COMMERCIAL DISTRICT WITH CONDITIONS, AND OBTAINING A SPECIAL USE PERMIT FOR RELIGIOUS ASSEMBLY, LOCATED AT 3640 COLONIAL AVENUE (TAX MAP NO. 77.18-03-15), CAVE SPRING MAGISTERIAL DISTRICT**

WHEREAS, on October 26, 2004, the Board of Supervisors adopted Ordinance #102604-5 changing the zoning classification of approximately 2.37 acres and .28 acre

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of real estate located at 3640 Colonial Drive and 3612 Parkwood Drive, respectively, to C-1C, Commercial District with conditions upon the application of the Roanoke Council of Garden Clubs, Inc.; and

WHEREAS, the Applicant, the Roanoke Council of Garden Clubs, Inc. has petitioned the Board to amend the proffered conditions from the 2004 rezoning on the 2.6 acres of real estate; and

WHEREAS, the Planning Commission held a public hearing on this matter on August 2, 2011; and

WHEREAS, the first reading of this ordinance was held on July 26, 2011, and the second reading and public hearing was held on August 23, 2011; and

WHEREAS, legal notice and advertisement has been provided as required by law.

BE IT ORDAINED by the Board of Supervisors of Roanoke County, Virginia, as follows:

1. That the proffered conditions on that certain tract of real estate containing approximately 2.6 acres located at the 3640 Colonial Avenue (Tax Map No. 77.18-03-15), Cave Spring Magisterial District, are hereby amended to read and provide as follows:

1.) The subject property has been developed in substantial conformity with the concept plan dated January 14, 2004, and with the architectural rendering dated January 30, 2004, prepared by Rife & Wood Architects.

2.) Use of the property is limited to activities of or sponsored by the Roanoke Council of Garden Clubs, Inc. including *their* offices, meetings *as well as* rentals of the building *for special events and meetings including wedding receptions, parties and similar private gatherings that are compatible with the facility.*

3.) Applicable Colonial Avenue Corridor Design Guidelines shall be in effect with the word "shall" replacing the word "should" as determined during the site plan review process.

4.) The proposed building shall be limited to 6,000 square feet of gross floor area and twenty-six (26) feet in height.

5.) Exterior building materials are brick and wood.

6.) Total parking including rear and building-side drop-off shall not exceed seventy-seven (77) spaces and no parking shall be constructed in front of the building.

7.) Monument-style signage at the entrance of the property shall not exceed thirty-Six (36) square feet. Total site signage shall not exceed seventy (70) square feet. Temporary signage shall be limited to activities directly related to the Roanoke Council of Garden Clubs, Inc.

2. That the Board finds that the granting of a special use permit to the Roanoke Council of Garden Clubs, Inc. for religious assembly on approximately 2.6 acres located at 3640 Colonial Avenue (Tax Map No. 77.18-03-15) in the Cave Spring Magisterial District is substantially in accord with the adopted 2005 Community Plan, as amended, pursuant to the provisions of Section 15.2-2232 of the 1950 Code of Virginia,



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as amended, and that it shall have a minimum adverse impact on the surrounding neighborhood or community, and said special use permit is hereby approved.

3. That this action is taken upon the application of the Roanoke Council of Garden Clubs, Inc.

4. That this ordinance shall be in full force and effect thirty (30) days after its final passage. All ordinances or parts of ordinances in conflict with the provisions of this ordinance be, and the same hereby are, repealed. The zoning administrator is directed to amend the zoning district map to reflect the change in zoning classification authorized by this ordinance.

On motion of Supervisor Moore to adopt the ordinance, and carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church

NAYS: None

**3. Ordinance authorizing the purchase of approximately 0.454 acre of real estate (Tax Map No. 87.07-3-7) adjacent to the Roanoke County Administration Center from Franklin Real Estate Company, Cave Spring Magisterial District, and appropriating \$40,000 from the Minor Capital Fund (Paul M. Mahoney, County Attorney)**

Mr. Mahoney explained this is the second reading of this ordinance and related to the property located adjacent to the Roanoke County Administration Center. This property is limited in potential uses and will be used for overflow parking and alternative egress. There were no changes from the first reading.

Chairman Church opened and closed the public hearing and there were no citizens to speak on this item. There was no discussion.

**ORDINANCE 082311-6 AUTHORIZING THE PURCHASE OF APPROXIMATELY 0.454 ACRE OF REAL ESTATE (TAX MAP NO. 87.07-3-7) ADJACENT TO THE ROANOKE COUNTY ADMINISTRATION CENTER FROM FRANKLIN REAL ESTATE COMPANY, CAVE SPRING MAGISTERIAL DISTRICT, AND APPROPRIATING \$40,000 FROM THE MINOR CAPITAL FUND**

WHEREAS, on June 22, 2010, Roanoke County entered into a right of first refusal agreement with Appalachian Power Company (APCo), a Virginia corporation, a unit of American Electric Power, for the purchase of approximately 0.454 acre of real estate adjacent to the Roanoke County Administration Center in the Cave Spring Magisterial District; and

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WHEREAS, APCo and the County now wish to complete the transfer of this real estate to the County for the purchase price of \$40,000; and

WHEREAS, Section 18.04 of the Roanoke County Charter directs that the acquisition and conveyance of real estate interests be accomplished by ordinance; the first reading of this ordinance was held on July 26, 2011, and the second reading and public hearing was held on August 23, 2011; and

NOW, THEREFORE, be it ordained by the Board of Supervisors of Roanoke County, Virginia, as follows:

1. That the acquisition from Franklin Real Estate Company (a subsidiary corporation of American Electric Power) of 0.454 acre of real estate (Tax Map No. 87.07-3-7) located adjacent to the Roanoke County Administration Center for the purchase price of \$40,000 is hereby approved.

2. That the sum of \$40,000 is available in the Minor Capital Fund to pay all of the costs of this acquisition, and is hereby appropriated for this purpose. This amount is for the purchase price of this real estate.

3. That the County Administrator or Assistant County Administrator are hereby authorized to execute such documents and take such actions on behalf of Roanoke County in this matter as are necessary to accomplish the acquisition of this real estate, all of which shall be approved as to form by the County Attorney.

On motion of Supervisor Moore to adopt the ordinance, and carried by the following recorded vote:

AYES: Supervisors Moore, Altizer, Flora, Elswick, Church

NAYS: None

**4. Ordinance amending the Roanoke County Zoning Ordinance by the addition of amendments relating to Large and Utility Wind Energy Systems, including amendments to Section 30-29 "Use Types; Generally," Various Sections In Article III "District Regulations," and a new Section 30-87-7 "Wind Energy System, Large; and Wind Energy System, Utility" in Article IV. "Use and Design Standards" (Paul M. Mahoney, County Attorney)**

Mr. Mahoney outlined the ordinance and explained the first reading was held on July 26, 2011. Mr. Mahoney explained this ordinance has been a long process, it has been going on for almost two years. He noted the Planning Commission and Development staff have been analyzing this issue and have submitted to the Board for their consideration a draft ordinance. This ordinance is a culmination of about two years worth of work and many citizen comments at the Planning Commission level, many work sessions, not only by the Planning Commission but by the Board of Supervisors. This ordinance consists of essentially three elements. Changes in definitions, some district regulations essentially where those district regulations are calling for a special

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use permit for these kinds of uses in a variety of the zoning districts under the County's zoning ordinance and the final is the most important element of this ordinance. This third part sets out use and design standards. This ordinance is not an ordinance that is voting on a specific application, or a specific use of property, rather it is attempting to establish the ground rules if in the future an application is made to the County to site either a wind farm with windmills or if a situation with an industrial user and the industrial user wants to erect a single windmill or a single alternate energy source so it attempts to cover a broad range of possible activities. These use and design standards also accomplish a very important goal of establishing an application process. He advised currently under the Roanoke County Code for utility services, major there are approximately eight (8) criteria that an applicant would have to follow. Of those eight (8) criteria, two of which would probably be irrelevant in many situations because they deal with water and sewer activities. This draft ordinance attempts to identify about sixteen or seventeen (16-17) criteria that any applicant coming forward to Roanoke County would have to provide information to the Board and to the citizens of this County before that application could be addressed, debated, discussed, considered and voted upon. These criteria attempt to address, what staff and the Planning Commission have identified as the critical elements of such an application, i.e. setbacks, noise, shadow and flickering, electromagnetic communications interference, speed controls, land clearing, erosion and sediment control, monitoring, maintenance, decommissioning. All of these factors are an attempt to set the ground rules for future application and also for purposes of transparency let any applicant know what they would need to do in terms of presenting studies, reports, information to the Board of Supervisors and to the community before any kind of final determination is made. This is not an ordinance that approves a specific use in a specific location. There is no application pending before the County, rather it is attempting to set out future ground rules for future decisions if or when such an application is submitted. Mr. Mahoney advised Mr. Thompson, Deputy Director of Planning, is also here to answer any questions that the Board may have.

Chairman Church opened the public hearing. The following citizens spoke on this matter:

Sue Karr of 8011 Poor Mountain Road, Bent Mountain who stated she was speaking on behalf of her friend and neighbor, Genesis Chapman who presently lives in Richmond but frequently spends time at his cabin on Bent Mountain just down the road from her house. Genesis Chapman is an environmental artist who life and experiences on this mountain inform his work. His work is critically well received and has been shown in numerous shows and exhibits around the United States. Folks here may recognize Genesis as one of the founders of the show "Stick to your Guns," which aired for five (5) years in Roanoke drawing forty (40) contemporary artists, many of whom settled here. This is Genesis letter. "I have grown up and lived on Bent Mountain for most of my life. My family moved here when I was four years old. I will soon be forty-one. Although I

have been living in Richmond for the past few years to attend Virginia Commonwealth University (VCU) and receive my Masters degree in Fine Arts, I still keep my cabin at the foot of Poor Mountain and consider this mountain my home. I have hiked, explored and hunted this area since I was a child, and this experience has not only defined who I am, but Bent Mountain has shaped, influenced and inspired me as an environmental artist. My daughter was born 3 and half years ago and it has been a priority for me to share with her, and pass on this the beauty, nature, community, farms, forests and fields on this mountain. It has been my pleasure to see my love of this place reflected in her eyes. Every time we drive home, she asks which one is "her" mountain, and when will it be that we can live there for good? Since we were married, my wife and I have been planning to return, settle down, build a house and raise our daughter there. The reason for returning to Bent Mountain is that since I was a child, it has remained a quiet, secluded, rural community that is surrounded by natural beauty. This is where we want to live and raise our family! If you do go ahead and allow this industrial turbine wind farm to be built, it would directly impact and change forever the very nature of Bent Mountain, destroying the natural beauty and rural nature of my beloved home community, making it a less desirable place to live. If this does happen, I will not settle my family there.

Adam Cohen of 7139 Starlight Lane, Boones Mills, Virginia stated he wanted to address the Board directly. He advised that he is really glad the Board has decided to address the concept of utility scale wind, but is disappointed by the misinformation, pseudo-science and straw man strategy that has been adopted by folks in this community. This ordinance is an opportunity to say that we as a community want to embrace the new century and the new economy rather than cling to dying and outmoded ways of making energy. He stated he wanted to address several points head on. First, this is not a decision about any potential project. This ordinance although instigated by a potential Poor Mountain project should absolutely not be based on whether or not this project happens. He advised he is very doubtful that this project will ever go forward and should it ever get to the stage whether it will go forward in an official way, there will be plenty of opportunity to voice support or opposition. He stated he has a real problem with the activities of the company considering the project and he will ask pointed questions for them if they ever get past the idea stage. So this ordinance should be considered a conceptual, symbolic and non-specific ordinance. As a side note, rather than arbitrary set back requirements, he stated he thinks the Board should be looking at an impact study on any site being considered. Secondly, there is a specious argument about the environment being made. To understand this, you must understand that our energy comes from various sources with varying effects on the environment and just because you cannot see the effect does not mean they do not happen. If this decision is going to be about the environment, then it should be considered and understood in the greater context. Most of our power here in this community is generated by coal and nuclear plants, each of which have a heavy impact on the environment much greater than a utility-scale wind project. Wind easily wins

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when considering environmental impacts of coal and uranium mining. Third, there is an argument about health effects. This too must be considered in a complete and holistic way. There is a huge cost to society both in terms of health and financial that is caused by unregulated emission of mercury from our power plants. This has made our community a hot spot for neurological disease. He stated he did not know about everyone else, but he knows over ten people with Lou Gehrig's disease; many more than he should know by statistics. At some point decisions need to be made about the relative weight of health effects versus kilowatt hours and here again, wind wins hands down over coal. Fourth, some will make a political statement about government programs that support wind energy. This is a false argument because number one government support comes at levels above the local. We are not getting any incentives for industry with this ordinance. Second, many of the same folks making this straw man argument are the ones that feel corporate welfare for oil, gas and coal companies is a sacred right that shall not be violated. Hypocritical and misinformed, he stated he feels sorry for his Tea-Party brethren who have been duped into doing multinational corporations' dirty work. He concluded by urging the Board to pass this ordinance without huge setback requirements.

Renee D. Goddard of 2237 Draft Road in Eagle Rock, Virginia stated she has taught at Hollins University for the last seventeen (17) years as a professor of biology and she also directs the environmental studies program. She thanked the Board for the hard work that has been done on this ordinance, it is very important work. She stated she thinks the ordinance has been well developed, sound with one exception. She is concerned about the ½ mile setback limit as it is extreme. It is greater than any of the other ordinances that exist in other municipalities and may serve to inhibit the development of wind energy in our region which she feels would be a terrible mistake. As an ecologist, she has become convinced that need to find sources of energy other than coal, which as you know is the source used in the valley. From the beginning to the end, burning coal is destructive. Tops of mountains are blasted off to get to the coal; valleys are filled in with mine tailings. The leftover slurry from burning the coal, leaks into groundwater poisoning wells and if a slurry pond breaks, there goes the river system. Finally, burning coal releases mercury, which is an incredibly potent neurotoxin. It releases particles and other aerosols, which damage lung tissue and releases carbon dioxide, which acts as a greenhouse gas contributing to the destabilization of our climate and more importantly to her and more sounding is there is so much co2 in the atmosphere it diffuses into the ocean and has actually altered the chemistry of the ocean. It is more acidic and if you think about it, the ocean is three quarters of our world. If you look at wind energy, it does not have any of these problems. There are no pollutants released and land disruption is minimal when compared to coal. There are legitimate concerns about the impact of turbines that they may have on local bird and bat populations but if you read the scientific studies there are ways of managing wind to reduce those impacts involving citing issues as well as how the wind turbines are handled under low wind conditions. Certainly wind energy is

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much better for our environment than coal. Beyond our environment, she believes that wind energy in the Roanoke Valley makes sense from a development perspective. As a college professor, she can tell the Board that the next generation is inspired by innovation and forward thinking. Young people are looking for iconic images that give them hope and in her conversations with students, wind turbines are one of these icons. Progressive companies are looking to settle in communities that offer alternative forms of energy. They avoid those that do not. She believes we have an opportunity here to promote sound and safe wind energy development in our valley, keep our best and brightest children here and employed and be an inspiring leader for our region. She stated she hopes that the work here will make that happen.

Caleb Amstutz of 2237 Draft Road in Eagle Rock, Virginia and is fourteen years old. He stated he is a freshman at Roanoke Catholic and appreciates being able to speak tonight. First, he thanked everyone for the hard work done in developing the wind ordinance. He hopes the final ordinance will be one of support in the development of wind energy. He has lived in the Roanoke Valley all of his life. He stated he thinks he would like to live here when he is grown. He hopes that when he is an adult here in the Roanoke Valley, he will be able to look out his window and see a wind turbine spinning. Having wind turbines helps the environment so much more than coal and other fossil fuels. Wind turbines do not release greenhouse gases, which are causing changes in our climate. Wind is free, you do not have to dig it up out of the ground or blow up mountains to find it. Wind turbines will save these beautiful natural areas and show everyone that Roanoke is a neat place to live. It would also be great to have turbines for educational field trips. Teacher could show students a wind farm and use them to explain the laws of physics and environmental issues. Since he is a freshman this year, he would be able to go on one of these trips. The most important reason he really hopes that we have wind energy here is to help with air quality. When he was young, he was diagnosed with asthmatic tendencies. Since he was six (6), he has a rescue inhaler and a steroid inhaler to help him when his lungs get tight. Wind turbines do not put any pollutants in the air. Coal puts particles and other pollutants in the atmosphere that irritate his lungs and make it harder for him to breath. If we cannot find alternatives for the coal, he may not be able to live here when he is grown. He advised he wished he could stay for the entire meeting, but he has school in the morning.

Robert Crawford of 6620 Shingle Ridge Road lives with his family in Roanoke County. He stated he is speaking as a conservationist and advocate of responsible public energy policy and practice. He wants to express his compliments to the Board for their good work in developing the proposed zoning regulations for large wind projects. With the exception of one provision, the turbine setback distance, which appears to be restrictively large, the proposed regulations provide a sound standard for the development for this important, clean energy resource. Regarding the one-half mile turbine setback from the nearest residence on nearby property, this setback distance is about four times that is provided in the model wind ordinance of the Virginia Association of Counties, which specifies a setback of one hundred and fifty percent (150%) of

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turbine height. For a typical large turbine height of about 450 feet, the one hundred and fifty percent (150%) setback would be 675 feet, which as noted is about one fourth of the one half mile distance of 2,640 feet called for by the proposed regulations. Since the permit granting process provides a mechanism for dealing with any special case a particular installation might present, the ordinance need not inflate its terms in anticipation of every circumstance. Mr. Crawford thanked the Board for their diligence.

David Rowland of 3341 Bradshaw Road in Salem, Virginia stated he is in attendance for the proposed amendment and also has tried in the past to apply with the John Deere program to actually get a residential wind mill, but has found out Bradshaw Road is not windy enough. To him, as a contractor for thirty plus years here, it looks more to be an opportunity to bring more business, more revenues for permits, construction materials, jobs and such. He advised he came mainly to listen to the opposition to find out why there is this much concern about it. He is also a volunteer for the Allegheny Regional Chamber of Commerce doing energy audits for the area businesses and institutions here, trying to reduce the energy consumption of the valley and mainly help to lower the energy bills. By reducing their carbon footprint and reducing the cost, we are helping the environment. If these proposed windmills could do that and give us either to have the opportunity to bring more houses online and more families to the valley or just reduce ours. He stated he knows it is hard, yes, bring it into my backyard, everybody protects their own. Living on Bradshaw Road, we are the homes that do not. We have a brand new school, things are going well good. He just hopes it is more of an open minded discussion as it goes forth that this is our general guidelines to get it started and then as each project develops, more and more people will be interested in bringing it into their area or working with other parts of the County to bring this business and these windmills along.

Mark Hanson of 184 Vista Lane in Fincastle, Virginia stated he is with the Renewable Energy and Electric Vehicles Association. He stated he looks directly at Poor Mountain from his office window, a couple of miles away in west Salem. Mr. Hanson thanked the Board for their efforts in working on a new utility wind ordinance in Roanoke County. When he visited nearby wind farms in West Virginia; Beech Ridge, Thomas Davis and Mount Storm, the setback was eight hundred and twenty feet (820). He has provided a DVD to the Board on Beech Ridge with some RG wind turbines. Since no noise was measured from twin 1.5 megawatt turbines with a DBA meter up to 1,200 feet and a thirty (30) mile an hour wind and the national average is a quarter mile or less, putting the setback 820 to 1200 feet would be more reasonable than moving it up to the one-half mile as proposed. The modern 1.5 to 2.5 megawatt wind turbines are produced at General Electric in Salem, Virginia producing much needed jobs and maintenance of the turbines will also produce more jobs servicing these majestic beauties. Wind turbines are the quickest way to a renewable energy future which consists of utility scale wind power, residence solar and electric cars all working together. The myths generated by wind groups about birds, property values, noise, shadow flicker and for sound and aircraft have no basis in scientific fact or actual

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operation and do not hold up to peer review studies. The eight-five percent (85%) coal-fired electricity Roanoke receives has increased the childhood asthma rate (his child has asthma) and increased air pollution in the area as prevailing westerly winds carry the fruits of nearby western plants to the region; even his doctor tells him not to eat more than one tuna-fish sandwich per week based on the mercury fallout from local power plants. His office window is right in front of Poor Mountain, just a few miles north, and he would love to see these pretty mountain flowers on our ridge tops. Please support clean, wind power for jobs and our future.

Bill Modica of 15456 Creek Lane in Salem, Virginia stated he is strongly in favor of allowing wind towers to be developed in our area, specifically in Roanoke County. He personally has been actively supporting river cleanup events, greenway development and park improvements in Roanoke County, Roanoke City, Vinton and Salem. He strongly believes in preserving our natural beauty but he also believes in finding better ways to support our economy and the American technological lifestyle. Wind farms will generate tax revenue for other things that need to be paid for at very little environmental cost. Allowing projects of this type will generate new revenue at little or no infrastructure cost to the County. He stated he is speaking today as the Chairman of the Roanoke Group of the Sierra Club, a well-known environmental organization with over 700 local members. The idea of using wind energy to provide electricity has been reviewed and debated nationwide. The Sierra Club has established guidelines that are the result of careful and intense study of the issues involved. They are appropriate for this situation and they indicate that this is a suitable way to move us closer to a day when dirty coal is no longer used for power generation. This ordinance is a huge improvement over the current loosely worded rules that are in effect and will allow the applicant to know what to expect when a project is being submitted. He urged the Board to pass it as soon as possible. The current recommendations of the Planning Commission are well thought out and they make sense. The staff is to be commended for their diligent research and their careful concern for details. Many of the sections of this ordinance have been vigorously contested. It establishes standards that are County-wide and is not just for Bent Mountain. In his opinion, the proposed noise levels of 60 decibels and one hundred and ten percent (110%) of tower setback seem reasonable, however, an inclusion of a one half (1/2) mile distance measurement to the nearest residence is not supported by any evidence. What is the reason for it? It does not mirror the rules adopted of any other locality that has such an ordinance. It does not protect residents from any perceived threat should the towers fail. He proposed that it either be eliminated completely or reduced to a minimum of one quarter (1/4) mile, which is much less onerous. He also suggested that the Board of Supervisors should retain the option to waive or amend the perimeters of the ordinance if the circumstances indicate it. This flexibility would result in a better result for the specific situations that may arise. The Sierra Club believes that the numerous agency reviews and approvals needed for a project to come online will adequately protect against ill-advised projects.



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Nevertheless, landowners have the right to lease or sell their property to generate revenue and in doing so, they also add to the economic base of the County.

Robert Egbert of 3571 Bradshaw Road in the Mason's Cove section of Roanoke County stated he is in support of the draft ordinance with the exception of the one half (1/2) mile setback provision. He asked the Board to support it with the deletion of that particular specification and there are several reasons for this. He stated he would like to focus on two reasons. Wind power is renewable and it is local. Fossil fuel is what it is; they do not make it anymore. The reserves of fossil fuel, coal included are in decline especially in Appalachia. The estimates of hundreds of years of supply are way over the mark, way over estimated and mining of coal depends upon oil and oil reserves are in decline now. So the cost of fossil fuel generated energy is climbing and is going to climb much more rapidly. The second provision is that it is local. We do not have to import wind and we do not have to compete against the Chinese or the Indians for coal that can and is being exported to them. If there should be a unexpected national disaster, like an earthquake or hurricane that should put down the national electrical grid where are coal supply would be cut off from West Virginia or wherever, we would still have a little bit of wind power local and he is sure that it is technology feasible that this wind power could be redirected towards emergency services in our area, like operating rooms, police, etc. So in conclusion, he hopes the Board supports this ordinance, it is extremely important. We are direly dependent on fossil fuel, but the fossil fuel is not going to last, so we need to start changing now.

Dan Crawford of 2311 Kipling Street in Roanoke, Virginia stated he is the conservation chair of the Roanoke group of the Sierra Club. He greatly appreciated the opportunity to speak and the hard work that has yielded an impressive body of regulation, though, there is one point that begs further consideration, distance from turbine to nearest residence. All other localities he is aware of have established distance restrictions well short of one half (1/2) of a mile. The longest that he is aware of is in New York state and it is one thousand (1,000) feet. There are over five thousand (5,000) industrial scale wind turbines in this country, but none in Virginia. Our local folks have not had direct experience and are slow to embrace anything unfamiliar. In his frequent conversations about turbines, those who have been near them have found them anything but loud and offensive. Wind farms on distant ridgelines are often described with words like graceful and beautiful. A recent personal experience of his consumed many hours over several days, though what he learned was worth every minute. This story is going to make your job easier and also clear the air with speculation about those "green signs." They were purchased by the Virginia chapter of the Sierra Club and the Renewable Energy and Electric Vehicle Association. Few things make a more stronger, more visible than a yard sign. Realizing this, several of us pitched in and went door to door, most folks were not home. Among those that were, he was delighted to hear most folks expressed favor for wind energy in Roanoke County, though most folks were reluctant to take a public stand with a sign. If you have ever done this kind of work before, you know that most folks just don't do signs. Also,

he avoided places with poor visibility, obstructing bushes or vehicles, unworkable terrain, etc. Considering these factors, he is personally convinced that if every door was answered and every way was suitable and everyone expressed their position with signs, the streets he covered would look much different. Most yards would sport those green and white signs of hope.

Stuart Tousman stated he is a Professor of Psychology at Jefferson College of Health Sciences and lives at 1852 Elbert Drive in Roanoke County and has been asked here to talk today about the acoustics of wind turbine syndrome. His master's degree is in the field of psychoacoustic sound perception and he wanted to come before the group and let everyone know that there is actually no such thing as "wind turbine syndrome." The evidence does not support this. At a previous meeting, the opposition was trying to promote the idea that there was such a thing, however, there is no evidence base for this and there is no scientific research for this and is simply a fear-based propaganda routine to try to get people scared about the impact of wind turbines. There is no such thing as this. He is also the Chair of the Virginia Asthma Coalition and also had asthma so he would support a positive step taken by the Board to have good policies such as this ordinance in place.

Chairman Church recessed at 6:52 p.m. and called the meeting back in session at 7:02 p.m.

Rupert Cutler of 204 S. Jefferson Street in the City of Roanoke stated he has lived in Roanoke for twenty (20) years. Seven (7) were spent administering Explore Park in Roanoke County, five (5) serving on the Western Virginia Water Authority board with Mr. Altizer and six (6) serving on Roanoke City Council. His credentials include a Ph.D. degree in resource development, six (6) years teaching environmental policy and planning at Michigan State University, James Madison University, and the University of Virginia and thirty (30) years administering natural resources agencies and environmental associations in Washington, D.C. His thoughts on wind energy were printed in *The Roanoke Times* on Sunday in its Horizon section. He has provided copies for the Board. He stated he believes that wind power—a renewable source of alternative energy—is a positive opportunity for Roanoke County. It should not be regulated to the point that it becomes impossible to proceed. Wind energy production is a legitimate business that can help deal with air quality, water pollution and other environmental issues. Wind power is the one source that does not require water. All other energy sources including solar energy need lots of water for energy production, and most energy production technologies contaminate water sources. Water is the limiting resource in things we do now and in the future. In the event this ordinance is adopted and construction of wind turbines and towers is approved, careful monitoring of the environmental effects of road relocation, site clearing and debris disposal from construction will be required to prevent watershed and downstream water quality and aquatic ecosystem damage. Land clearing should be kept to a minimum and he would prefer that the site re-vegetated with native plant species. The killing of birds and bats should be minimized, with the turbines turned off at certain times if necessary to effect

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this ecosystem protection. This draft ordinance addresses the critical concerns of stream sedimentation during construction and the complete removal of construction material and restoration of the site as a part of site decommissioning. Decommissioning funds should be guaranteed with a performance bond. He applauds the Roanoke County Planning Commission and the Board for working long and hard on this complex issue.

Daniel Gaskel of 6634 Sugar Ridge Drive stated he works at Carillion Clinic and this past spring he was on a leadership development committee through Leadership Roanoke Valley which was run by the Roanoke Chamber of Commerce. We were formed into teams with people from different industries and different businesses and each team had something to address such as education or economic development. The team he was on was focused on energy; one of the forms of energy that was investigated was wind energy. None of us professed to be experts like some of the people that have spoken here, but we did look into a lot of the considerations and it was our conclusion that wind energy is a definite option that Roanoke County should consider. It is not a panacea, it does have its concerns and we have heard many of them tonight and they can be mitigated like the last speaker talked about. There are ways you can reduce the wildlife loss, but we felt it was a wise economic development for Roanoke County as well as for the entire region. He did attend a meeting that the Board had on this subject earlier this spring and he stated he was impressed by the way the Board was considerate of all the approaches and concerns and took a very deliberative approach to it. If you continue to do that in the future, it will allow us to develop this resource in the fairest way possible. This past summer, he advised he took a trip to Pennsylvania on Interstate 81 and there was a section near Scranton, Pennsylvania where you can see windmills and he recalled at the meeting this past spring, there were people who talked about how they thought the windmills were ugly and a blight upon the landscape. He also heard people who thought they were beautiful. He advised he did not think they were either one. He thought they looked like power lines more than other things that you see on mountains that unfortunately are needed for an industrial society. Electric usage in the country is only increasing and our primary source of electricity is coal, which is very dirty and which we suffer from because of all the coal mining that occurs in West Virginia and all the pollution from those smokestacks. In conclusion, he stated he was a supporter of wind energy and thinks if the Board approaches it a calm, careful, rational way we can make it work.

Mark McClain of 907 Greenbrier Court in Salem, Virginia stated he strongly favors wind energy and he is not going to repeat any of the environmental commentary that has come before. He stated he agrees with all of it and has been made by some very talented and committed environmentalist. In addition to spending thirty (30) years as an environmental advocate, which he has done, he has also spent over thirty (30) years working in business in corporations in finance and systems of that matter so he is going to comment on the business side of this. The business scenario is that wind energy is one of a handful of growth industries in our country. It is clear that

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wind will be part of our energy future, but it is already a significant part of the mix. He provided the following statistics from the U.S. Department of Energy. Wind energy production increased twenty-eight percent (28%) from 2008 to 2009. Sixty-one percent (61%) annual increase between 2007 and 2008 and through May of this year, wind energy production is running about thirty-five percent (35%) ahead of last year. Please do not let anyone tell you that wind energy is not real and is not a real part of the future mix. It is an incredible growth projector. He asked does wind really displace coal in the mix, yes it does. The use of coal for electricity has gone down, it declined from fifty-one point seven percent (51.76%) in 2000 to forty four point nine percent (44.9%) of the mix in 2010. During that same time, wind energy rose twenty (20) fold from a near one point one percent (1.1%) of the mix to two point three percent (2.3%). It has already jumped to three point three percent (3.3%) of our national energy mix for the first five months of this year. Those you claim the grid cannot handle wind energy are wrong. It is being done effectively all over the world. Wind makes sixteen percent (16%) of the energy in Spain, eighteen percent (18%) in Portugal, twenty-one percent (21%) in Denmark. In the US, many states see a significant penetration such as Iowa at fifteen percent (15%) of all electricity generated and Minnesota at ten percent (10%). On one wonderful day in 2009, wind energy was providing one half of the electricity to Spain. Wind energy is good for communities, providing jobs, local tax revenue and investment. He hopes that Roanoke County will be a community that welcomes this important industry and that it will pass an ordinance without any arbitrary restrictions, one that encourages and supports the production of clean, renewable energy from the wind.

Brian Lang of 6752 Quail Place in Roanoke County thanked the Board for the work that went into studying this issue, noting it was a lot of hours, a lot of thought and he knows the Planning Commission has done the same. He stated he thinks this is a good ordinance that is being proposed with one major exception, the setback. He cannot find any source which indicates that much setback is required, but he does know that much setback could harm the practicality of citing wind farms in Roanoke County. When you have to be at least one half of a mile from the structure, suddenly it really severely limits the number of places where these things could go and when he looks at what Roanoke County does with other things such as radio towers, you do not have that setback anywhere close to that and on other things. He encourages the Board to strongly give consideration to making the setback not anywhere close to that one half mile, but something that ties into a consideration of where things might go in the future. We do not know how tall the next generation of wind turbines might be. We do not know if they will be this height or shorter or taller. If you set the setback at some percentage of the turbine's height, for example one hundred and fifty percent (150%) would be more than enough to ensure that if one should ever topple, it would not endanger anybody's home and when you look at the fact that we have buildings which have smaller setback requirements, but still have sixty (60) decibel requirements to cover the sound, there is no need for a half mile setback to keep people from hearing an unreasonable level of noise. You have a separate requirement for this, he understands

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at sixty (60) decibels at the property line so the fact that sixty decibels would cover the sound and one hundred and fifty percent (150%) would keep anybody from having any fear of having one of these topple near their home would allow you to move forward with an ordinance the overwhelming majority of the people here and people in the County would support. Addressing the subject of how much support there is in the community, he has seen surveys which indicate the overwhelming majority of people in this region support wind power and if you make it harder for companies to build successful wind farms but using an unreasonable setback requirement, you would be acting against the wishes of your constitutions, of the majority of them. He knows there is a small minority that is opposed to wind turbines no matter what and they have a right to their opinion. They do not have the right to their own facts. The fact is if a turbine is cited one hundred and fifty percent (150%) from a building, there is no danger of falling over on it. If the sixty decibel requirement for sound at the property line is enforced, there is no worry about the noise.

Mr. Eldon Karr of 8011 Poor Mountain Road in Roanoke, Virginia asked the Clerk to make note of the date and time of his written document (August 23, 2011 at 2:50 p.m.) Mr. Karr stated tonight, he speaks to you each individually, and more importantly, as one collective entity, our Board of Supervisors. Five individuals, who for unclear reasons, have chosen to subject themselves to the unrelenting scrutiny of over 100,000 citizens. For that alone, he respects and appreciate the Boards' commitment to serve our community. He stated he does not wish to make the Board's decision this evening with regard to the proposed large and utility scale wind ordinance amendment any more difficult than it already is. He hopes to make the Board's decision this evening easier with good conscientious, he cannot, and will not praise the quality, of over two years of work that has been dedicated by our County staff, the Planning Commission and the Board as a legislative body to investigate, study and craft the amendment in its present form. He is, frankly, disappointed that the Board has allowed this amendment, as it stands, to reach this status in our process over that period of time. The proposition that, we need to do something, anything to immediately accommodate a proposed land use, that we have never had any personal experience with, or more importantly lived with, with an urgency based upon a fear that we may lose control over our own destiny is not the strategy of wise leaders. It is always far harder and far more expensive to fix it later. Yet, that is where we all in Roanoke County stand with regard to this issue. First is spot zoning - in accordance with Virginia law to create a new zoning area as is implied by the current draft. Spot Zoning "Spot Zoning" is the zoning of a small area of land for a use that does not conform with the zoning comprehensive plan for the area. Second is decommissioning. The current draft has already relaxed decommissioning costs to a development in the form of deducting salvage value and allowing a letter of credit or frankly more ridiculous, a corporate guarantee to put the land in shape. He beseeched each Board member to understand that when confronted with a three (3) minute timeframe among a throng of speakers within which to express and persuade your

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leaders to embrace and consider your perspective requires hours and hours of preparation and study.

Tori Williams stated he was in attendance on behalf of the Roanoke Regional Chamber of Commerce located at 210 South Jefferson Street in Roanoke. He thanked the Board, the Planning Commission and County staff for their careful and thoughtful work on this issue over the last few years. The Roanoke Regional Chamber supports development of both traditional and renewable sources of energy both to diversify our energy base and to keep the region economically competitive. Furthermore, the Chamber supports a regulatory environment that promotes economic development. Burdensome regulations create a barrier for new investment and undermine the region's competitiveness. The Chamber believes that the large and utility wind energy system ordinance should be consistent with other jurisdictions throughout Virginia and neighboring states. The ordinance should contain reasonable setback requirements and noise restrictions that both permit the development of wind energy systems and mitigate adverse impacts on surrounding properties. Overly restrictive language or other arbitrary requirements not based on sound empirically based sources could tarnish Roanoke County's representation as a locality that is open for new business and investment. Again thank you for the Board's leadership on this issue.

Conrad Grundlehner of 2114 River Oak Drive in Salem, Virginia stated although his address uses a Salem post office, his residence is in Roanoke County. He stated he firmly believes that if we as a nation are going to make more clean energy available it will be by private money making the necessary investments to bring this about. It is government's role to establish a clear, regulatory environment, which will give investment the certainty they need to supply the risk capital; nothing stifles investment and job creation more than uncertainty. He stated he is pleased that Roanoke County is making progress towards establishing a regulatory environment governing large, wind energy development in Roanoke County. He commended all the officials and staff who spent so many hours over the past few years taking us to the point where we are now. His one concern with the proposed wind ordinance is the proposed one half (1/2) mile setback from the nearest residence. This seems excessive. The rationale for such a large setback escapes him. Two years ago he and his wife drove to the Maritime Provinces of Canada, while staying at Yarmouth, Nova Scotia we chanced upon the wind farm at Publico Point nearby. This installation is owned by Florida Power and Light and produces three point six megawatts of energy. We were as close as several hundred feet from the nearest turbine, yet all we heard was the soft whirring of the turbine blades, no smoke, no smells. We came away with the conviction that wind turbines were an acceptable form of clean energy.

Bill Van Velzer of 393 Cox Road in Troutville, Virginia (otherwise known as Daleville in Botetourt County) stated he is here because he has as much right as anyone to appear before this Board of Supervisors and remind everyone here that wind does not respect political boundaries. As a resident of Roanoke Valley, he says no to this. Also of the Roanoke Valley, he does not want to make himself into anything bigger

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than he already is and he stated he is not. He and his family have had thirty-five (35) years of living with wind turbines. Please do not do this. He has heard and he respects the views of everyone who has appeared here before the Board voicing their support for wind turbines, for numerous reasons. He also wants to say that we are all on the same side here. Some of us do not like wind turbines for some very good reasons, but we are all on the side of the planet, we are all on the side of economic growth, please do not tell him that simply because I oppose wind turbines that he is some sort of throw back to nethander. He is not. His parents still have property in Tehachapi, California. He has appeared before the Board and his words have gone into print as well. He has voiced, although he does not want to belabor the point, sometimes he feels it is necessary to do so. His parents still have twenty acres in Tehachapi, California. His mother found these things in 1978 and 1979. She has in her files still the longhand notes from those meetings and we did not know back then, but we know it now, that the decision in favor of wind turbines was the then current County Board of Supervisors despite anything the public had to say. Whatever the public had to say was a "dog and pony show." He stated he knows that will not be the case here. Once the Board makes the decision to go ahead with industrial scale wind turbines, the decision will last longer than we will live. Do you realize this? We all, he hopes realizes there will not be any turning back. As a student and instructor of history, he has come to sort of snicker at wind turbines as being in his mind part of a fad. In the early 20<sup>th</sup> century and the late 19<sup>th</sup> century, Americans took pride in oil derricks too. It was a sign of dynamic, forward-moving America. He stated he hopes we are not making the same mistake now.

Virginia Weisz of 11588 Bottom Creek Road a resident of Bent Mountain in Roanoke County and like many of the citizens here, she is just enamored with the idea of being green, which is why she wore the outfit today. Coming here from Montana and Colorado where it is a way of life, she loves all things green. She recycles, takes a bag to the grocery store, does permaculture and keeps these. Recently, she learned it is patriotic to be green. So, when wind turbines like she known in Montana were coming, I thought "cool, how green is that." Unfortunately, she is also a doctoral student at the University of North Carolina-Greensboro and she does health research. What she has found was similar word "greed." Invenergy met with residents of Bent Mountain and it sounded good and then she found they put up only fifteen percent (15%) of their own money and make no investment in this huge project, really working. Then she looked into outcomes. The wind industry has been subsidized since 1985 and it is still in its infancy, why, because it has abysmal results and need for ongoing subsidies. Then she learned a new phrase, "green window dressing." The environmental degradation with acres of concrete into our beautiful pristine environment would be incredible anywhere in Roanoke County and the health effects continue to be studies. The isolating and annoying low frequency noise that is emitted have produced sleep disturbances, severe headaches, unsteadiness, etc. She has some references for the Board from the World Health Organization where they recommend noise management

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includes measures in proper citing of wind farms to avoid locations in close proximity to sensitive noise receptors that is residences, hospitals and schools. The setbacks need to be one point five to two point four (1.5 to 2.4) miles to avoid these adverse health effects and she has references for the Board. Also they recommend no more than thirty decibels with low frequency components and no more than forty-five decibels at night. The current proposal does not provide that protection and she thanked the Board for its judicial planning and the protection of citizens in Bent Mountain and all over Roanoke County.

Carl Bagby of 9962 Greenhouse Road on top of Bent Mountain stated in the great scheme of things, trashing the property values on Bent Mountain is a pittance compared to the tax revenue that Invenergy plans to funnel through Roanoke County, but consider this, Roanoke is the only metropolitan area that sits astride the Blue Ridge Parkway that consistently records the highest number of visits in any national park in this county, about 18,207,000. How many of these folks do you think are going to get on the parkway to check out these new wind turbines, no matter how beautiful you think they are. We will lose millions of dollars in lost business revenues and tax dollars and make no mistake about it Roanoke County will be soon open the flood gates for wind farms to roll right down the Appalachian plateau. What a legacy for our children. All the beauty that God has wrought in these special mountains will be replaced by the hubris of man. Instead of an already failed technology, he asked the Board to table this ordinance and send it back to the Planning Commission to redo. The Board thinks five hundred feet of setback protect the property owners from the effects of the turbines? Do you think 60 decibels protects the good citizens of this County? Where are the protections to insulate the citizens against the costs involved in anything to do with this project, the roads, the dismantling, anything. It is not there. It took eighteen (18) minutes to draw up this ordinance, he stated he thinks the Board could have taken eighteen (18) minutes and called up Invenergy and asks them for an ordinance they could live with, because that is what we have. They have cobbled together boilerplate from other ill investigated and biased ordinances. It is no secret that we as a society are poisoning this planet just as fast as we can. The carbon emissions are just one small part of the problem and wind energy is not even a miniscule part of the answer. Reducing carbon emissions by developing wind energy is like spitting into the ocean in its effects. Why are countries like Spain and the Netherlands running from the energy? They realized only belatedly it does not work unless it is heavily subsidized. T. Bone Pickens make billions off energy investments. He got into wind energy and ran away from it just as soon as he found out it does not work unless it is heavily subsidized. Why not invest these billions in the fine minds of this county to develop a new source of energy that we can all live with instead of lining the pockets of Invenergy, the carpetbaggers from Chicago who would betray us, destroying forever natural resources we will never recover, for our own thirty (30) pieces of silver. Yes, this is all about green, but not green energy, green the color of money. Why else would Invenergy, whose CEO was a charter member of a Chicago company set up in 2000 to make



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money off the backs of our already strapped American industry come riding into Roanoke County. You think Invenergy cares about the environment and green energy.

Peter Airey of 846 Austin Avenue stated he is an engineer and he tries to deal in specifics. He is very concerned the Board has chosen to say that sixty (60) decibels is acceptable. As the Board should know, sixty (60) decibels is the sound of his voice three feet from the Board. The Board is saying it is acceptable when you come home, you get out of your car, "blah, blah blah, he is there." You sit down for a meal with your family, "blah, blah, blah, he is there." You try and watch the television, "blah, blah, blah, he is there." You want to go to bed, "blah, blah, blah, he is there." Just how long must he stay in your house before you tell me to get "deleted" out, yet you are saying that is acceptable to impose this on the people of Bent Mountain? He is telling the Board they are creating Roanoke's version of a Tuskegee experiment, where you subject people to adverse conditions, even a report put out and funded by the wind energy notes that people have an adverse reaction to wind turbines directly proportional to the amount of sound they are exposed to although they say this is not harmful. He questions that. As you may have noticed, Milton in "Paradise Lost" noted that angels cannot detect sincerity from insincerity. We are fortunate that we can have that Occam's razor to tell the difference from those that say they support the wind power in this area, but if they say they support and have air conditioning in their homes and their business, they are just talking the talk. They are not prepared to walk the walk. The wind turbines, if you have access the publically available data on Bent Mountain, would only provide one (1) amp of power during the months of July and August; that will not run your air conditioning. Furthermore, they will blackout between fifteen and sixteen (15 and 16) times a day between thirty and forty minutes on a completely random basis. Yes, you can, and also he would add that most of the power is generated in the winter. So you will need to store it. It can be stored it but the cost of doing that with batteries that will last seven to ten years is 10,000 times your monthly utility bill. So with a \$100 utility bill, you are looking at an expenditure of \$1,000,000 storage and that needs to be replaced on a ten-year basis. So \$100,000 per year for power supply that now costs you \$15,000. He does not think this is good for Roanoke County, the business in the area or any other person. He stated he has the figures to back this up and can provide at any time.

Rudy Vietmeier of 460 Bluebell Lane in Roanoke stated he is a member of the Sierra Club. He stated he is mindful of the effort that went into putting this ordinance together and the difficult task before the Board. The most recent good news concerning job creation in Roanoke is building coal cars. Any manufacturing activity that leads to hiring people is good news and he has to wonder how much better would it be if we were investing in something other than coal. Generating energy from coal is nineteenth century technology; we are living the 21<sup>st</sup> century. The technology of the 21<sup>st</sup> century offers far more promise, not only in terms of a cleaner, more sustainable environment but new and creative technology, new and better jobs. Wind energy is one of the avenues that affords us the opportunity. Lessons of the past tell us that history is

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replete with missed opportunities; do not let this opportunity be missed by saddling it with unnecessary restrictions.

Karen Vietmeier of 460 Bluebell Lane in Roanoke County, the Hollins district thanked the Board for allowing the citizens to speak. There is not much new to say, other have already addressed it very well. She concurs with many others that she hopes the Board's decision will be to pass this ordinance with modest changes that do not make it so onerous to future applicants as to be a deterrent to future development of big wind energy in Roanoke County. She encouraged the Board in its deliberations to consider the vast amount of work that has been done by the staff and Planning Commission and to heed to the advice of legal counsel. The Board is being pressed from all sides and views, moderate and extreme. She encouraged each of the Board members to embrace their decision as a decision that represents what is in the best opportunity for the entire Roanoke County and the future development of the area. To delay further a decision to gather more data is a decision in itself and that is to kick the ball down the road. She stated she believes that each Board member was elected not only to represent a particular geographic constituency, but once elected the Board's responsibility is to use your combined wisdom to make the best decision for the future of the County. She stated she believes that the Board can arise to that occasion even in the face of criticism from some of your constituents; knowing that the Board is working for the great good of the County. She thanked the Board for its time and consideration and wished them good luck.

Linda LaPrade of 5509 Will Carter Lane in the Cave Spring District of Roanoke County stated wind energy sounds so good and harmless, and makes you feel good that you are doing something positive for the environment and bringing in tax dollars for the county, until you look at information provided to you by other than those provided by wind energy proponents. It is not efficient and certainly is not harmless to the environment. It is much windfall to those who produce these turbines and gather subsidies than an effective contribution to wind use. Electricity costs to the consumers generally go up when wind farms occur because backup-generating units must be always available powering up or down dependent upon the wind. When used this way, they run at less than peak efficiency and generally emit greater CO<sub>2</sub>. Denmark, an early pioneer of wind energy, saw the electric bills go up by the equivalent of five (5) cents per KW hour in one (1) year after wind energy came. Denmark, UK, Texas and Colorado saw an increase in CO<sub>2</sub> as wind farms developed. A study in the UK showed that the government subsidy for one turbine could insulate the roofs of five hundred (500) homes and saves in two (2) years the amount of energy that the one turbine would save in its lifetime (which is about 20 years). You have set a one half ( ½) mile as your setback, but there is a movement is to move setbacks further. Gilman, Illinois is moving theirs to one mile. The French Academy of Medicine and the UK Noise Association suggest a one-mile setback. In February 2008, a ten (10) year old turbine broke in a storm; it did not fall and threw debris more than eight (8) times its height. In

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Scotland one piece of a broken blade went through a window in a house...eight (8) miles away. She stated she was most concerned when she went to the Invenergy web site and saw a page already dedicated to the Poor Mountain Wind Farm and read that they were working with Roanoke County government to determine tax benefits. Highland County has been in litigation for years and has cost the county over \$300,000 thus far. It is one thing for a company to express an interest, it is quite another for it to already be working with government officials. As a formal Freedom of Information Act (FOIA) request, she would like to know what officials or affiliated NGOs have met with Invenergy or their representatives, and if Invenergy or their representatives have seen or indeed made suggestions about this ordinance before tonight. What you decide tonight affects all of us forever. Countries and states that have had wind power in place for years need to be studied. There are as many unanswered questions as there are broken and unused turbines dotting their landscapes.

Bill Gregory of 3312 Pamlico Drive in Roanoke County stated he has been a resident for nineteen (19) years stated he is a mechanical engineer and one of his specialties is acoustics, noise control; having been doing that for over fifteen (15) years. He stated he had worked on HVAC and architectural related noise control solutions during the design phase and on mediation in post-construction problems. On occasion he is asked to perform noise control remediation. This occurs when after construction is completed and the occupants are all present and there are justified noise complaints. He would go to the site, take the noise measurements, bring them back and remediate. Remediation is much harder to deal with. Fixing an active noise control problem, post-construction, is much more expensive and time consuming than having the solution dealt with during the design or preliminary phase. In addition, the owner and the occupant are upset and the sense of urgency to fix a problem is all consuming. Section 30-87-7b5 of the current ordinance states, "Large wind ordinance systems and utility wind systems shall not exceed sixty (60) decibels as measured from the closest non-participating property line." It goes on to state "an analysis prepared by an acoustical engineer with a professional engineering license in the Commonwealth of Virginia shall be provided to demonstrate compliance with the noise standard." The criteria requiring maximum sixty (60) db noise level at the property line is too high for evening and early morning periods. Modern industrial standard for nighttime noise level at property lines adjacent to residential areas is typically in the forty-five to fifty (45-50) decibel range. Please keep in mind that infrasound is not included in the sixty (60) db criteria. On the section of setbacks, he asked the Board of Supervisors how those specific setbacks were arrived by the Planning Commission. He stated he would like to know how they were arrived at in a FOIA request.

Steven Hanes of 20150 Mill Creek Road in Bent Mountain, Virginia stated he was going to confine his comments tonight to the ordinance issues because that is what is being talked about here, but he agrees that the ordinance needs to be amended in anticipation of an application for larger industrial-scale turbines in this County. The

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ordinance needs to set a reasonable set of standards for any applicant, anywhere in Roanoke County, not just at Poor Mountain. He understands that, however, he feels that the current ordinance amendment proposals do not set a reasonable standard for the protection of citizens of Roanoke County in at least three (3) areas: setbacks, noise levels and decommissioning process. The proposed articles are far too liberal. Many of us believe that they are wrongfully slanted in favor of the wind developer. Establishing a reasonable setback can also mitigate some of the noise issues. So, he asked the Board to impose a setback minimum of at least one mile. Measurements should be the tip of the blades at the property line, not from the base of the turbine to the property line. In Roanoke County even garages are measured from the overhang to the property line, so the tip of the blade is the closest part of turbine to the property line so let us measure from the blade not the base. Noise should be measured at no more than thirty-five decibels at the property line and certainly not as one suggested at the nearest dwelling. Measuring sounds at the nearest dwelling effectively makes the land between the dwelling and the turbine valueless, it devaluates it. You can no longer develop it; you cannot build another house on it because it would fall between those distances that you have already established. The decommissioning piece should be escrowed or guaranteed by either a cash bond or performance bond. Corporate guarantees are useless if the corporation no longer exists, as is the case in California where more than 14,000 turbines today stand idle because there are no funds to take them down. Relying on salvage value as a major part of the decommissioning process Mr. Hanes stated was flawed because salvage values fluctuate weekly. He stated it just seems to him to be common sense in this case you would want the ordinance to deal fairly conservatively with the issues at hand. Let's set the ordinance standards fairly restrictive and let the applicants apply through the special use process to show cause and justification why the ordinance should be modified in some way.

Andrea Krochalis of 9428 Patterson Drive, Bent Mountain stated she was a bit taken aback by the quip in a recent Roanoke Times editorial that nothing new could be studied on the industrial scale wind turbine proposal in Roanoke County. There are several points not really studied by the County. Examples such as the importance of the turbines not being able to store electricity and the effect on how much actually gets used or goes to the grid or goes to the ground. It is a much smaller, less significant number than the RVCCC/invenenergy reference to their "cars taken off the road" metaphor. The County should be able to cite specific measurements for accountability for such promises made to the taxpaying consumers. Just how is the number set to declare that the production of electricity is acceptable? How does the County profit from this project, and who else profits? How will that be reflected in consumer rates, they skyrocket. A study of wildlife and plant species and of water quality at regular intervals over time, not just if there is a complaint, should be mandated. Our community worked for 10 years to have Bottom Creek designated a Tier 111 waterway-a stream that has unusually high quality water. Is an incidental take permit required here? The area was just designated a Hawk Migration site. What are the protected species present in this

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site? We know from contractors that we have met on the Mountain that Indiana Bats are present; these contractors were hired by Invenergy. After the green wash of the feel good effect of harnessing the wind, there is a learning curve to really be an informed consumer here. She stated she is glad our supervisors have indicated that they will struggle through this-like the rest of us have! How soon will turbines WITH batteries be on the market? Why does the UN/WHO recommend a setback of 1.5 miles? What other localities are pleased with this sort of installation 2, 3, 5, or 10 years out? How were property values impacted in those localities at each of those points in time? If you cannot answer these questions she stated she hopes the Board will study more and postpone this vote. The big thing that hasn't been discussed is the opening of the gate for turbines to be installed all the way down the Appalachian Mountains, Floyd Catawba, Montgomery, Windy Gap, are you ready for this? Even if you don't agree, please consider how our community relates to the land. "I cannot twist the laws to serve me, but I can adjust my life to serve the laws. This is the law -I am here to serve the Earth. The Earth is not here for me to misuse and abuse." This is a spiritual value of mine that she is sharing with the Board, but it is also the value of farmers, orchardists, naturalists, herders and others. We feel a relationship to our life's work of accepting the land from others to care take and pass on. Please respect that value.

Chairman Church recessed the meeting at 7:52 p.m. and reopened the meeting at 8:02 p.m.

Mr. Sean McGinnis of 2716 Richelieu Avenue in Roanoke City stated he had analyzed energy in carbon emissions for Roanoke County and the City of Roanoke for the past several years. He stated he has a PHD in Material Science and Engineering and directs the Virginia Tech Reengineering Program. Mr. McGinnis stated his statements this evening are his own and do not represent Virginia Tech in any way. This ordinance will determine the future of renewable energy to a large extent in the County. He stated he wished we could just use conservation to reduce energy use. Unfortunately, history shows that society is not good at conservation. Energy use and carbon emission trends continue to rise, even during times of economic downturn. Many of the issues tonight are subjective, which does not reduce their importance, but he will focus on more objective and quantifiable issues. How much energy might these wind turbines generate and as a result how much carbon dioxide would not be omitted and how much coal would not be combusted. While this ordinance hearing is not specific to any project, it is important to understand the scale of potential wind energy production related to this ordinance. He has analyzed the wind energy potential of a projected wind farm as due diligence for his own decision making process. He stated he was not paid to do this analysis. To model this accurately, you will need the turbine power at each wind speed, the distribution of wind speeds preferably close to the hub height since wind speed increases with altitude. Doubling the wind speed gives roughly eight (8) times more power so energy generation calculated average wind speeds from wind maps will significantly underestimate the energy generation. Using public curves for a GE wind turbine and wind speed data from an independent third party, he has

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estimated a Poor Mountain wind farm could generate more than 100 million kilowatt hours of electricity annually. This is a conservative estimate as it uses wind speed measured at fifty-five meters rather than a proposed hub height of eight-five (85) meters. This electricity is equivalent to that used by 9,000 average Roanoke County homes, which require 40,000 tons of coal annually and emit more than 100,000 tons of carbon dioxide into the atmosphere along with mercury and other toxic pollutants. In his opinion, these quantified benefits are enough to shift the environmental balance in favor of wind turbines at appropriate sites which require reasonable wind ordinances and setbacks. It gives serious weight to the potential impact of engineering technology on the local community, the ecosystems and the wildlife, but all of us make tradeoffs every day regarding energy and environmental damage. Ultimately, he thinks this ordinance moves the Roanoke Valley a step toward a more sustainable future.

Elliot S. Wheeler of 831 Hanover Avenue in Roanoke, Virginia stated the body of his comments have already been distributed to the each of the members of the Board via email and at this time he wanted to make one simple salient point. For a given amount of power generation, wind costs one one hundredth of the number of lives of coal. That means if you generate ten to the 27<sup>th</sup> exajoules or 1 kilowatt hour, which costs about 115 lives of coal; it costs a little bit more than one life from wind. This set of numbers, and the Board has the references, does not include black lung disease or the environmental degradation associated with burning the coal, just mining it, generating it and not even getting it to the place where it is burned. It is our friends and neighbors in West Virginia and in Southern Virginia that suffer from this because that is where we get our coal. Please keep this in mind when you make your decision.

Jerry Polverino of 11180 Sugar Camp Creek in Bent Mountain stated he is a domestic and international jet captain, retired. He owns his own small, little puddle jumpers, twin engine airplanes, those kinds of things. He stated he has flown in and out of Roanoke most of his life. One of the things that he keeps hearing is that this is going to cause a problem with the airport. Airplanes do not routinely fly over Poor Mountain, we fly around it and we fly around the obstacles on Poor Mountain because we really have to dive to get into runway six (6) to land. We come down Interstate 81 on an offset approach and make a left run into runway six (6). So, what is put on Poor Mountain is not going to have a direct impact, especially on the landing minimums at the Roanoke airport. What is done ten miles away is not going to change how low we can go before we see the ground when it is cloudy into Roanoke. The minimum altitudes in Roanoke would be 5200 feet if the turbines are approved. The minimum vectoring altitudes in other places out west are well over 11,000 and 12,000 feet. It is not a problem where, it will not be a problem here. Some people have jumped on the word "aviation hazard" which is the term the FAA uses to describe any tower or object that is sticking up above a certain amount. Hazard does not mean, hazardous or dangerous. In the airman's information manual, it tells pilots to watch out, be careful when there is a hazard. Now that he has said all of this, he also stated the FAA really is not going to listen to him or any other pilot. They will take his letters and comments, very politely; they will

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completely ignore them and then hand them to their engineering department which will make the final decision. His next point is that wind power has been around since the fourth century. He does not think this is a fad that is going to go away all that quickly. Wind it not meant to be stored, it is meant to reduce the total amount of load on the electrical grid, that is how it is transferred from one point to another. That is what the electrical grid does, which is one of the greatest achievements and provides us with all the luxuries that we have in our homes right now. As far as subsidies, the highest subsidized energy source is refined coal. There is a guy names Jay Waller that wrote a book about technophobia and the electricity concerns and scares that people had when America was first electrified. There were people who were actually afraid to put their food in electric refrigerators. We can see some of that technophobia here. He hopes that we try to embrace the future and do what is right for our community and let this amount of money and American progress be spent here.

Karen Scott of 8443 Poor Mountain Road, Bent Mountain stated to have a great industrial wind turbine ordinance for Roanoke County, the Board will need much information on experiences in other states' mountainous and rolling hill counties, due to Virginia's inexperience in this industry. This is necessary to preserve life and the quality of life for humans and wildlife. She stated she will address human life tonight: the Roanoke County citizens. In the Pacific Northwest, the first industrial wind turbine sites were constructed in 1998 in an Oregon county, Umatilla County; she has provided information on this. Oregon now has 1200 industrial turbines. Umatilla County has gained more of these so called farm location since 1998. They previously had a setback of over 3000 feet. In June, 2011, this year, they changed it to two (2) miles from each turbine to a rural home. Why? People were getting sick from insufficient sleep from low frequency, sporadic, pulsating noise generated from turbine blades slicing the air. Why does this affect people and their sleep? First reason: Low frequency noise affects people, especially indoors with the windows closed, and especially at night when winds are higher. This sound resonates in a person's house, and in their sinuses. Noise travels farther in the mountains due to the temperature gradient, cooler air cooling down the mountains with nightfall and increased humidity, and extends three to five (3 to 5) miles from the ridgeline. Second reason: One turbine is like one dog barking relentlessly, more turbines is like a whole kennel upset. One turbine is like the sound of an 18-wheeler climbing a mountain, more turbines like a convoy pulling a mountain. Sound is amplified and intensified with more participants, and especially in echoing mountains. This is the reason yodelers' yodel in the mountains not on the plains. Third reason: Populations of people in an area. The map you have been given is from Roanoke County planning department with the proposed wind turbines located on Poor Mountain. She stated she has only added one mile and two mile concentric rings. The two mile ring extends out to the southbound lane of 221 and effects 271 parcels of land, thousands of acres, hundreds of families and these numbers do not include Montgomery County. So I plead with you to research the years of experience of other states' counties and I have the ordinance revision from the Oregon County in your

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information. Mountain topography is different than others, so choose life-preserving setbacks in your ordinance, please. Roanoke County needs to be seen as progressive, not ignorant of the truth. Pilate asked Jesus, "What is truth?" She stated she hopes that you all will pray that God will lead you to the right answer to this question.

Ed Kinser of 10023 Fortune Ridge Road on Bent Mountain and stated he is here to represent those who cannot speak-the unique plant communities, the bats, the eagles, and hawks, and all those that can be affected by ridge top destruction in Roanoke Co. My degrees are in biology and I spent 33 years teaching people like you and your children the importance of taking care of the environment and about how all the parts work together so intricately that if one part is damaged or destroyed, there sometimes is a chain reaction that upsets the whole system. Our own local Blue Ridge Mts., running right through Roanoke County, and our Allegheny Mts., such as Catawba and Fort Lewis Mts., are among the oldest mountains in the world. Our native plants and animals have called these mountains "HOME" or used them for migration routes for much longer than recorded history. The situation with bats, eagles, and hawks is particularly disturbing when referencing wind turbines. Over 3,700 hawks have been counted riding the updrafts along our County's ridges just in the last two falls. Only in the last few years has mist-netting shown that bats not only live here but also migrate through the area, endangered species included. These raptors and bats have no defense against the blades of 400-foot-tall turbines. These blades can chop them up or wound them so severely that they are flightless and doomed. As a concerned naturalist, he thinks working to reduce bat and bird kills is totally unacceptable, avoiding kills is the only way to go. We all know that there is NO industry, wind or otherwise, that would destroy the tops of ridges and ALSO CARE about the environment and native plants and animals there. If an industry does not care about the native plants and animals in the environment, what about the residents that live there. Have any of you heard how Gandhi suggested we can measure a society? He said, "A measure of society can be how well its people treat its animals." As you work on the ordinance amendments he hope your results are such that our birds and bats will have unspoiled ridges where they can be safe. And the same ridges can be used by our citizens, our children and our grandchildren as a place to relax and commune with nature. He stated he hopes the Board's final ordinance will be one that will allow our Roanoke County community to treat our animals, our plants, and our ridge top populations conscientiously. Would you supervisors PLEASE try to measure up to Gandhi's wisdom?

James Scott of 8443 Poor Mountain Road in Bent Mountain stated he would like to start by addressing Section 30-41-1 (A) of the Zoning Ordinance requires that prior to any Zoning Amendments, the commission shall determine effects on surrounding property. The ordinance does not satisfy this requirement. A comprehensive determination of "effects" on surrounding property needs to be included in the ordinance. This assessment must include noise and other "effects" of proximity to industrial turbines. Impact on land use on surrounding land and property values need to be specifically required. This includes surrounding property appraisals. To determine



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the effects of noise; the noise must be characterized. Currently, only dB-A considerations are being proposed. All research indicates that the low frequency impacts are of more significance to public health. Additionally, the design standard needs to be based relative to background, to determine "effects". The noise design standard itself must reflect the County Code -Noise Ordinance" declared to be the public policy of the County of Roanoke to promote an environment for its citizens free from excessive noise that jeopardizes their health or welfare or degrades quality of life.. "The proposed sixty (60) decibels (dB) promotes excessive noise, contrary to this declared policy. The Institute of Environmental Medicine at Stockholm University reports that sixty (60) dB wakes ninety percent (90%) of people after they have fallen asleep. Sixty (60) dB places a noise encumbrance on surrounding properties, thus changing land use. It is the equivalent of placing a "no build" restriction on surrounding property. That is the equivalent of taking my sons and daughters homeland inheritance away from them. The design standard needs to be based on experience from existing wind farms where we can see how various noise standards actually work. Recently a study of Europe's wind turbine noise standard concluded that the thirty-five to forty (35-40) dB provided "reasonable protections" for most situations. Perhaps that's why they do not have as many problems: *because* of responsible noise design standards! Most serious health problems are occurring at wind farms built with design standards of forty (40) dB and above. These are the problems we do not want in Roanoke. The design standard needs to be defensible, and based on current knowledge and experience. The noise design standard for Roanoke should be thirty-five (35) dB (or 5 dB above background), to comply with the declared County Noise Policy. Invenergy has already developed wind farms in Ontario (at forty (40) dB design standard) and in Oregon (thirty-five (35) dB). We deserve the same levels of health, well being and quality of life, granted to those citizens. It also proves that a thirty-five (35) dB design standard is very "doable", and is not a vote against wind, just a vote for a responsible ordinance, sixty (60) dB irresponsible and reckless.

Diana Christopulos of 907 Greenbrier Court in Salem stated she is president of the Roanoke Valley Cool Cities Coalition, a local, all volunteer, non-profit organization that encourages energy conservation, efficiency and clean renewable energy. Our affiliates represent over 25,000 citizens and most of them live, work, go to school or do business in Roanoke County. The topic tonight is a zoning ordinance that places the County in the position of government regulators; a balancing act between encouraging personal freedoms and allowing anarchy. Our organization has some concerns about wind power and most of them have been answered in the draft ordinance. She stated she would not go through all of the details, as the Board has heard about a lot of them. She mentioned the sixty (60) decibels on audible noise; it is at the property line, not at the residence. It is the same as the existing limit on residential and small wind. So certainly large wind we would not expect to be held to a higher standard. In fact, the only significant concern we had was the one half mile setback, which is four to five times further than what is recommended by the Virginia

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Association of Counties and was adopted by Rockingham and Pulaski Counties. It is an unreasonable regulation with no medical or scientific basis. Some concerns we do not share with other speakers this evening, though we certainly respect their right to voice them, include the issue of low frequency sound. The sources for these concerns are generally unreliable or outdates. For example, the World Health Organization recommendations in 1999 are based on a technology which has not been in production for many years. The book, "Wind Turbine Syndrome" does not meet scientific or medical publishing standards. We are not concerned federal subsidies because they do not seem relevant; is Roanoke County going to reject businesses because they receive federal or state subsidies that would be a very long list of rejections. Instead, we urge to pass the large wind zoning ordinance with a reasonable residential setback. Compared to the way we get electricity today, over eighty percent (80%) from coal, wind power is good for human health and safety. Burning coal makes people sick and it even kills them. Wind is better for the environment because all the things about coal that make people sick also harm other living things, animals and plants. They do not use electricity, but they suffer the consequences of our actions. Happily the use of wind power can be very good for local economic development. It can enable local land owners to keep their property in agriculture and in their family. County tax payers benefit because the developer must pay local property taxes based on the amount of money invested in the project. The use of wind power would make a symbolic statement that our region is open for clean and green business. This would be welcome news to the eighty-six percent (86%) of Virginians who told pollsters from Roanoke County in March 2011 that they favored the expanded use of wind energy in our state. We urge you to pass this ordinance and allow properly cited wind farms.

Michael Scott of 9469 Poor Mountain Road stated his residence happens to be one of the closest to a proposed wind farm project in Roanoke County; approximately 2,500 feet. For this reason, it is very difficult for me and my neighbors to separate this zoning ordinance amendment from the proposed project on Poor Mountain. Because it was a reaction, it should basically be conservative in order to allow the zoning ordinance amendment to kick in to allow a site specific ordinance be developed. He stated his opinion of the setback of one hundred and ten percent (110%) of the tower height he feels is not protective of the neighboring residences. The setback should be a minimum of one (1) mile from any occupied dwelling (preferably two (2)). Setback and noise are directly related to each other. If you increase setback, you decrease noise potential. The current noise standard of sixty (60) decibels (db) is too high and will not protect neighboring residences as well. A lower noise limit of thirty (30) decibels OR an increased setback of one (1) mile from residences would provide some protection for the neighboring properties, such as mine. Despite this, there is still evidence that even one (1) mile setbacks can still result in damage to non-participating property owners, particularly in mountainous terrain such as where the proposed projects and some other potential sites in Roanoke County are located. Alternatively, consider having no specific standards and allow the developer to come in and

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demonstrate there are no adverse impact claims. If they cannot demonstrate their claims of no adverse impact, the project should not be built. Additionally, consider the stress on local infrastructure such as interference with Emergency Management radio transmissions. Obviously, if foliage can impact signal, then a four hundred and thirty five (435) foot tower will obviously do the same. Expect increased demand on Volunteer Fire Departments due to brush fires and lightning striking on turbines. Additional strain on local resources such as fire, police and emergency services, especially during construction, but also in response to post-construction incidents. Remember the closest fire/rescue is not staffed full time. Additionally, expect damage to roads caused during the construction phase of a project of this magnitude. If you consider how many forty plus story structures may end up on Poor Mountain that is more than all of the cities in southwest Virginia combined.

Carl Smith of 225 Cobble Lane on Bent Mountain stated he also has a tract of land on Poor Mountain. The Board has heard from a lot of folks this evening by their addresses they do not have the same "skin" in this that he does. He believes that people move to Roanoke County for the natural beauty and the lifestyle that is why he and his family moved here. He believes that the ordinance should be more prohibitive. He believes if fifty-four (54) wind turbines are constructed on Poor Mountain that property values will be lowered, there will be a negative impact on the health of the surrounding residences, it will deter new home building, it will severely impact the marketability of existing home sales as well as existing undeveloped home sites. It will have a negative impact on wildlife. He has personally watched hundreds of red-tailed hawks migrate across the ridge top. He asked the Board if they lived where you would be looking at fifty-four (54) of these wind turbines, if your property values would be lowered, if you would have to deal with a massive amount of construction traffic, if this were proposed in your neighborhood, if you had to listen to 24/7 constant humming would you still feel this is such a great idea. There is a place for wind energy, there is no doubt, and he does not think it is in his backyard. He asked that the Board make an ordinance, one that is more restrictive, reducing the height and increasing the distance from any existing or possible future home site and he stated he sure does not mean to be rude, but asked the Board to honestly consider how the Board members would write the ordinance if your neighborhood was a considered site for these nuisances.

Bruno Duron stated he is fourteen years old and lives at 1975 Poor Mountain Road and has built some models that have been built to scale to show the Board. The first model represents the television towers on Poor Mountain, the second model is a wind turbine built to scale (three (3) inches equal twenty(20 feet), the third was a house and person that were also made to scale. Each turbine would have concrete pads that are 50 x 50 x 6 feet, which would take about 500 cubic yards of concrete. A concrete truck carries seven (7) cubic yards of concrete that would take seventy-eight (78) truckloads for one turbine. For eighteen turbines, it would take 1,404 concrete trucks. On top of these pads are turbines that are four hundred and forty three (443) feet tall. They are huge.

Hunter Smith stated he is also fourteen years old and lives at 225 Cobble Lane on Bent Mountain where he has lived his whole life. In science class he has learned how air currents form and how noise travels with the air currents. When the ground is warmed by the sun in the morning, the air near the ground is also warmed and rises, and then cold air comes in from below to take its place as warm air rises. Warm air rises during the day and carries sound with it. When the warm air hits the mountains it causes an updraft, goes over the mountain closer to the ground carrying the sound with it. Bent Mountain in the daytime you can hear the sound of the train going down the tracks. This sound travels from about six miles away as the crowd files from Shawsville, Montgomery County. Imagine how much sound will travel from wind turbines that are less than a mile away.

George Ahl stated he is 15 years old and lives at 6613 Siyvan Brook Road in Roanoke County. He is continuing Hunter's description of what they have learned in science class about how sound travels in the mountains. At night when the sun goes down, the cold air comes down. Cold air from the mountains will go down the slopes causing a down draft and carrying the noise with it. So all is quiet in the mountains, except for the occasional calls of whippoorwills at night. The wind turbines proposed in Roanoke County will be built on top of the mountains. The downdrafts at night will then carry these turbine propellers sounds much further than the sounds that is normally heard in the quieter terrain. Also, there is a problem of a low frequency sound, which also sounds like a deep base on a boom box. It comes from the air compression when the turbine blade passes the bowl of the turbine. He states he sees these as a threat to people's homes, schools and businesses in the mountain communities. This is expressing due to the natural air currents in the mountains which carry the sound much further than it does in flatter areas. Additionally, he stated he cannot imagine how invasive these structures would be on the scenery that is Bent Mountain.

Glenn Reed of 9175 Poor Mountain Road on Bent Mountain. He stated he has lived on Bent Mountain all of his life. In 1973, when he graduated from college he wanted to place a mobile home and work on his father's farm. He was required by the county to have each adjoining land owner to sign permitting me to place the mobile home on our land. The reason for this would it might devalue our neighbor's property. Since then, he has bought the property and has spoken to the Planning folks on several occasions about starting businesses on my property. He has been told many times that the agricultural residential zoning will not allow commercial businesses. He stated his question is if a tax paying resident is not allowed to have a business to make a living, why is a corporation from Chicago allowed to industrialize the area. He stated he is for green energy and for wind turbines that will make a profit. If you have ever looked out an airplane window you can see there are plenty of open areas that wind turbines could be placed away from residential areas. The enormous size and closeness to our community will devalue our property. They will change our agricultural resident community to an industrial community. He stated he would like the Board members to picture several four hundred and fifty foot (450) foot wind turbines on the closed ridge to

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your home. He stated he thinks wind turbines of this size should not be considered for Poor Mountain, Sugar Loaf Mountain, Hunting Hills or anywhere in Roanoke County and asked for a two (2) mile setback on structures this large. Please preserve our community.

Ed Dodrill of 853 Belgian View Estate Road in Lewisburg, West Virginia stated he has traveled quite a ways to be here. He stated he worked in the State of Virginia for thirty plus years and has a great interest in what the Board is doing. He currently serves the State of Virginia on the Department of Environmental Quality local stakeholders group. In that capacity, he has reviewed many ordinances across the Country. He stated he has seen the historical development of those ordinances as they have moved literally west to east. He has watched that sort of thing and he believes he represents many citizens who are not able to be present today. He advised he will provide what he calls an educated point of view, meaning he has been there. In Greenbrier County, as the Board probably knows, we went through the same processes that Roanoke County is going through currently. We listened to the debate back and forth for quite a long while. That wind farm is now in place. He has visited it many, many times and have taken touring groups actually to visit that site partially in his capacity with the environmental quality local stakeholders group. He stated he has stood directly under these monsters and wishes to comment on the Draft Zoning Ordinance Amendments -large & Utility Wind Energy Systems. He has read it and find it to be comprehensive and fair. He currently serves on the Department of Environmental Quality Local Stakeholders Group. In that capacity I have reviewed many ordinances from across the United States. This one is aligned very well with the most current issues and resolutions to real and perceived concerns of this emerging field. He stated he has stood directly underneath these monstrous units that the Board is talking about. He can talk as freely as he is talking right now. The noise is minor to any extent that he has experienced noise; having worked in heavy construction, factories and different situations. In Greenbrier County what was found is the same that he thinks Roanoke County wants in their community. The company coming in, their name has been mentioned a couple of times, Invenergy became a great corporate citizen for our area. They provide guaranteed funds that come into our community that is there no matter whether they are generating power or not. He stated he thinks conservationists, forestry management folks should come in to see the footprint after the units are in place. All of the natural resources of that area have returned. It is quite pretty; he thinks he has good "curb appeal." This project produces clean, renewable energy. Our cost for power has not gone up. We had no blackout actually during the high demand periods. He stated he is here in support of the ordinance and congratulated the Board for a great job.

Edwin Polverino of 4767 Walton Lane in Roanoke County stated he has been a physician here in Roanoke for twenty (20) some years and he is currently a medical professor at Virginia Tech's Medical School. He has heard a lot of good speakers tonight so he is only going to comment just briefly on what he knows best,

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which are the health effects related to wind turbines. Simply stated, there basically are no health effects related to wind turbines. There has been no scientific, documented evidence related to wind turbine disease, wind turbine syndrome in the scientific literature that is properly peer reviewed. There has been one simple book that was written that used a lot of pseudo-science and conjecture that was never supported by the scientific community. So with that, he would ask the Board if those statements are not enough, he would ask everyone to look towards the huge amount of data that is available from Europe; Germany, Denmark, etc. and you will find that there is no evidence of significant health risk to the population in those areas. With that said, he stated he hopes the Board will give serious consideration to moving forward with the current project because the option of using poisonous coal which kills our animals, our environment and people he does not feel is a viable option. The economic impact on Roanoke County has been well discussed and he wants to simply offer his support in relation to that as well. In addition, he would be happy to address any members of the Board as some point in the future if they would like any medical information, literature that has been properly peer and scientifically reviewed as it relates to health effects from wind turbines he would be happy to meet and provide the information.

Darrell Branstetter of 6568 Sylvan Brook Roanoke has been a resident since January 1963 when he was sent here to design the Community Hospital, which should never have been built there, there are caverns under it and no parking. If we could have gotten where Tanglewood is for \$150,000, later Carter and Steel built the shopping center there. There is great opposition to the construction of fifty-four, four hundred feet high wind turbines on Poor Mountain ridges that will be visible in Roanoke and heard for many miles away; at our house and beyond. We live in a subdivision off Cotton Hill where the mountain scenery is beautiful and the nights are peacefully quite. There are thousands of undeveloped acreage with mountain ridges between Cotton Hill and Bent Mountain. When will this Chicago firm try to entice the Roanoke County Board of Supervisors to permit construction of many more towers in this area? Wind turbines will be visible from his property and the property of many others. He stated he just heard from a politician that they will be able to be seen from the Blue Ridge Parkway for more than twenty miles away. The noise from the wind turbines will be accelerated by the prevailing natural wind, day and night. Twenty-five decibels is the maximum noise for sleep, according to the Architectural Graphic Standards. The Roanoke Planning Commission is requesting sixty (60) decibels noise as maximum standard at the property line. Sixty (60) decibels noise would be like trying to sleep at a busy road intersection. Many professional architects, engineers and scientist have presented factual information to the inefficiency in productivity of electricity from these wind turbines. The Roanoke County Attorney and the Roanoke County Planning Commission appear not to accept facts, but feed to the Board of Supervisors incorrect information. The Board of Supervisors are also hearing these facts. Last week, a national radio broadcast that three of the large wind turbine operating electric projects have been

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abandoned, due to lack of efficiency. How can the members of the Roanoke County Board of Supervisors honestly approve the construction of this project?

Doug McCallum of 4824 Wade Road in Roanoke County, Virginia stated he wanted to come tonight to thank the Board of Supervisors for their work in putting together these ordinances and to let the Board know he is in support of wind, pro-wind, and would like to see this ordinance passed. He would request though that the zoning setback be reduced and rather than have it be a fixed distance, looking forward to the future turbine height could grow even larger, so a percentage of height might be a better way of stating it. He recommended a one hundred and fifty percent (150%) setback.

Getra Selph from Read Mountain Road in Roanoke stated she and her husband live in Roanoke and she grew up in Roanoke County. She stated they love living the region and appreciate having access to the Blue Ridge Parkway and other various outdoor amenities offered in this community. She advised they have had plans to purchase property in Roanoke County where her family resides, specifically in Bent Mountain. She and her husband consider themselves good stewards of the environment, do they best to be respectful of their neighbors and community and the environment. She stated she recycles, takes her bags to the grocery store, support local farmers and commerce and appreciate living in the community. She stated she loves the great outdoors and consider the view sheds of the Blue Ridge Parkway one of our region's most treasured assets. At this point, her plans to relocate her business and her residence have been placed on hold. She advised she would not be able to move to Roanoke County until this situation is resolved. She stated she has serious concerns regarding the proposed ordinance and has serious concerns about the threat of the industrial wind turbines killing the view sheds of the Blue Ridge Mountains, killing the migratory bird populations and killing real estate property values. The site of Invenergy's industrial wind turbine project on Poor Mountain is bad news and disappointing to say the least. There needs to be a great buffer to protect residential properties from the noisy turbine blades. She does not support industrial wind turbines on Poor Mountain for a whole host of reasons. At the very least, she stated she respectfully encourages members of the Board to take responsible action to insure a minimum of a one mile buffer from blade tip to residential property lines in Roanoke County.

Jerusalem Walker of 1069 Timberline Road stated she is a registered nurse and is currently studying for her doctorate as a family nurse practitioner at Radford University; her children attend a day care and after school program not far from the proposed citing of the wind turbines on Poor Mountain. She stated she is here tonight to shed some light on the relationship between environmental factors and disease. Many of the supporters of the current proposal argue that they are no direct effects of wind turbines sound environment on humans. Other say the noise caused by wind turbines are harmless. The logically fallacy here is that if there no direct, measurable, physiological effect then there is no effect at all. She did want to talk a little bit about research. In establishing a cause and effect relationship requires research,

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this concern is impossible, it cannot be done. Research can only show that an association exists. Therefore, we say for example, failure to properly restrain your child in a car seat increases the risk of severe injury and death or cigarette smoking increases the risk of lung cancer.etc. We cannot ever prove that one causes the other because there is always someone out there who says, "my grandma smoked like a fiend and she lived to be 99 years old." What you have is an interaction between the individual and the environment and sometimes the disease happens and sometimes it does not. The truth is that data is coming in. Exposure to even low levels of low frequency noise, especially the intermittent kind that wind turbines produce, is associated with a higher risk of difficulty concentrating and fatigue as well as a host of other health problems. The gentlemen that came up here a little while ago saying that there were not any health effects, slipped up and said significant health effects. She pointed out that one little slip that he made, because she thinks it was a Freudian slip. Another truth is a risk is still a risk, even when it not an overwhelming risk. In fact, if you put kids in car seats, the risk of severe injury and death is actually quite small, but that does not mean you do not buckle them up because even if the risk of death is only one half of one percent, if it happens to your child there will not be one half of one percent dead, they will be one hundred percent dead, so you buckle them up every time. The data is still coming in on the effects of wind turbines sound environments in health. Just a few months ago, when she came to address the Board, there was very little out there, but there is data that is coming in, actually pouring in, and she urged the Board to please look at the data that is coming out. Look at the research that is happening now and take into consideration when you come up with a formula to determine what the setbacks have to be and what the decibel levels have to go down to before the risks disappear.

Chip Tarburton of 917 Brughs Mill Road in Fincastle, Virginia stated he wanted to make a couple of quick points about the specific language of the bill in front of you today. On page 5, there are a couple of pieces he wanted to bring up. With regard to the sixty (60) decibel level limit and the fact that the County will be doing some testing to make sure that it is sixty (60) decibels or lower. Of course, you will not be able to do that until after they are built. So, his question to the Board would be what mitigating factors would you take it was over sixty (60) decibels, you cannot just take them down they are four hundred (400) feet tall. He thought the Board might want to talk about the issues there. The other one that he found interesting was on page 5 was the lighting requirements. There are no lighting requirements unless the FAA requires it. He stated he does not think there is a serious flight issue as the gentleman spoke to earlier. There is a possibility the FAA could light those four hundred (400) foot tall windmills and there is no nuisance provision for the FAA. If they need it for safety, they are not going to put the lights on. He also reiterated what a couple of people have said about the bond issue. He applauds the Board for taking the step of requiring a bond, but the language, as other people have stated is very, very lax and does not hold these companies accountable to things that could happen, especially in light of as one



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gentleman said "14,000 decommissioned windmills in California" would speak to the need to have a very solid bond behind that to make sure the costs of decommission are taken care of. A couple of other things, discussion occurred about windmills and obviously the Roanoke Tea Party is opposed to that, but we are also opposed to all corporate welfare, just to get that on the table, but any company Invenergy is going to overstate the benefits of what they are going to provide and understate the environmental issues, that is true of any company trying to sell you something. Will this lead to the decommissioning of coal plants, no, if you buy into the global warming scheme that a lot of people are now walking up to that is not true, reducing thirty percent (30%) in the Roanoke County is not going to have an impact when China is taking the coal we pick out of the ground and are putting into their own coal plants. One question and he has asked this before and am now asking again, peak energy usage for electricity is in June, July and August of each year when it is hot. The winds do not blow very hard on Poor Mountain when it is hot in June, July and August. So there are some real issues here from a practicality standpoint. These ordinances need to be put into place to protect the citizens whether you are for or against it he urged the County to keep that in mind as they make these ordinances law.

Chairman Church recessed at 9:00 p.m. and called the meeting back in session at 9:08 p.m.

Roberta Bondurant of 11577 Bottom Creek Road in Bent Mountain, Virginia stated she is a fifteen (15) year resident of Bent Mountain, twenty (20) year resident of the Roanoke Valley. Between her husband, Tom and herself there is a total of fifty (50) years legal practice in public service in the Roanoke Valley in various jurisdictions. Presently, she stated she serves as the coordinator to Somali Bantu refugees who live in Roanoke City and works in the Catawba District on a farm that is managed by Virginia Tech. They work along the pristine waters of Catawba Creek. She stated she was going to keep her comments short and sweet tonight and asked the Board following in the legal tradition the word she would use is continuance. She asked the Board to consider a continuance of this matter so that the Board and the Planning Commission can consider several points that have been raised tonight by residents of Bent Mountain. Before she specified those points, she asked the Board to note that in terms of the population that is represented here tonight, please do take note in their considerations that this is the first week of public school in Roanoke County and there may seriously be families and children from Bent Mountain who are not represented here tonight. Certainly, they had the opportunity to write something online, but they may or may not have done that in the rush for school this week. She stated she herself is delivering a boy to college tomorrow. She asked that the Board reconsider the five hundred (500) foot setback, the sixty (60) degree decibels and asked the Board to consider the possible repairs that might be necessary to the turbines and fire issues. She does not think a lot of people have raised fire issues. She asked the Board to consider that in their further deliberations and to consider that the people of Bent Mountain in accordance with Mr. Goodman's comments at one of the last meetings

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would like to work with the Board. They would like to be in good faith in working with the Board. Pound for pound you have a lot of public servants and a lot of people who are willing to and have delivered to their community, we would ask for that consideration from the Board.

Patti C. Hanes of 10250 Mill Creek Road in Bent Mountain, Virginia stated according to Sec 30-3, Sub-Section A, of Roanoke County's Zoning Ordinances, the zoning regulations and districts are for the general purpose of (1) implementing the comprehensive plan of Roanoke County, and (2) to promote the health, safety, and general welfare of the public. She asked each of the Board members to insure that the County has a reasonable ordinance covering large and industrial scale wind turbines so that the citizens are protected. I know of a confirmed instance where a Bent Mountain family had a real estate transaction fail simply because of the threat that industrial turbines might interfere with their quality of life. My husband and I built our retirement home in Stone Ridge at Bent Mountain, one of the newer developments in Roanoke County. We're green; we use a geothermal system to heat and cool our home. We are located within two (2) miles of the site proposed for the Poor Mountain wind farm. Our development consists of thirty-four (34) lots of three (3) acres or larger, to date ten (10) homes have been built. Currently, four (4) of the ten (10) homes are for sale. There have been real estate transactions that have failed because potential buyers were unwilling to proceed due to the uncertainty of how these large industrial turbines will affect residents and real estate values. Please ensure that the proposed ordinance governing large turbines provides the citizens of our County protection by ensuring reasonable setbacks and limits on noise levels consistent with rural living. Please insist that the ordinance is designed to protect the health, welfare and safety of the citizens of Roanoke County rather than the interests of large energy companies. Consider what Oregon did in establishing a two (2) mile setback. In California, since the 1970's, over 16,000 industrial scale turbines have been erected. Today, about 14,000 of them are still standing and rusting away because they are inoperable. The companies that installed them no longer exist and there is no funding to take them down. Please ensure this ordinance mandates and guarantees that energy companies post cash bonds sufficient to remove turbines when they fail. I'd like to challenge each of you personally that when you go home tonight and lay your head on your pillows -have you made the best decision possible to protect each and every resident that lives in Roanoke County?

Mary McCallum of 4824 Wade Road in Roanoke County, Virginia stated she has lived there for twenty (20) years. The Planning Commission and staff have studied large wind turbines for two (2) years. They are very well informed and have sent the Board a comprehensive ordinance that protects everyone while not completely discouraging the development of wind technology. She stated she would like to suggest that the only change the Board would make would be to the one half (1/2) mile setback from the residence. She suggested that if the Board wanted to be sure to protect residences that the Board establish the one hundred and fifty percent (150%) setback suggested by the Virginia Association of Counties model wind ordinance. She decided

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she could not make an informed decision on supporting large wind turbines without visiting a site. We visited Mountaineer Wind Farm near Thomas, West Virginia. This is a tourist area with many ski resorts and state parks. The placement of these turbines did not distract from the beauty of the area. In fact, they are listed as a tourist attraction for the area in local brochures. Asking people in the area about how they felt about wind turbines, we asked gas station clerks, waitresses, rental property personnel all had a positive feeling about them. We went and stood beneath the turbines and they sounded like waves gently lapping at the beach. How can it be wrong to make energy out of thin air without pollution? No, she stated, they are not the answer to all of our energy problems, but they are a step in the right direction. Everyone keeps bringing up the subsidy issue, she provided the Board a graph with 2002 to 2008 federal subsidies. For renewable at 12.2 billion, for gas and coal it is 70.2 billion when you take into effect the tax breaks they get in coal and gas.

JoAnn Edmunds of 2111 Carter Road in Roanoke City stated she has lived here for about fifteen (15) years and is on the executive committee of the Roanoke group of the Sierra Club and that she does not have any more facts or figures to bring that have not already been brought up today. She stated she is here to give her voice and her voice to the side of supporting this ordinance for wind energy. Obviously, we need ground rules when there are developments and the ordinance that is proposed has very good ground rules to her mind, with excellent criteria for how they should be developed. She stated she supports the sixty (60) decibels limit at the property line and also the one hundred and ten percent (110%) setback from the property line, but as some other speakers have said, the one half (1/2) mile setback from an occupied dwelling seems excessive to her and outside of the criteria in many other municipalities and ask that the Board reduce that to possibly a percentage of the height of the turbine.

Jonathan Miles of 6905 Harvest Farm Lane in Albemarle County in Crozet, Virginia thanked the Board for investing so much time and energy into this process. He stated is has been a Professor of Integrated Science of Technology for fifteen (15) years at James Madison University in Rockingham County. He stated he also recently took an eighteen (18) month leave and had a tour of duty up at the Department of Energy in Washington, DC in the wind office there. He is currently serving as the Director of the Virginia Center for wind energy at JMU and they have been a group for about ten (10) years and have posted statewide wind symposia dating back to 2003 and support a variety of state and federally funded projects all in the name of trying to develop wind energy responsibly here in the Commonwealth. He pointed out that Virginia was recognized about a dozen years ago by the Department of Energy as a "high priority state". We have an excellent wind resource, we have developing policies, those that are developing in the right direction and also as everybody in the room knows we are what some might define as the "step" state. We have not got that going yet; we have potential and we have an opportunity. Over the last ten (10) years, he has seen a progression of both republican and democratic governors, law makers, local officials drive Virginia toward a direction that he believes will one day result in large

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scale, utility scale, native clean energy in the Commonwealth and for ten (10) years he has personally provided guidance to counties and communities throughout Virginia and the mid-Atlantic region as they develop their own ordinances and many of those cases passed those ordinances. Most recently he sat on the working group that developed the Rockingham County ordinance and has followed this process as well in Roanoke County and see a comparable process that has led to a comprehensive and he thinks and very appropriate ordinance for the community. Last, he has had the privilege to sit on the Department of Environmental Quality's regulatory advisory panel that developed rules for permit by rule process here and now sits on the Department of Environmental Quality's local stakeholders group developing a model ordinance. Briefly, he stated he wanted to recognize that wind power is a mature technology, but one that has been constrained for years in this state and many others by very inconsistent policies at every level. This constraints the opportunity for a fully diverse energy portfolio to develop in Virginia and across the county. Despite the fact that the Department of Energy's twenty percent (20%) by 2030 vision that published in 2008 has been exceeded in every year since except for one, we are still not seeing developments yet here in Virginia. He stated the Board has an excellent ordinance, perhaps with the exception of some improvements that could be made, most notably with regard to setbacks, but nonetheless the Board is in a position to make a very progressive statement and very progressive step forward. This is a tough nut to crack; he has seen it here and in Rockingham, Pulaski, and other counties. He applauds the Board for the efforts they are making and encouraged the Board to look very carefully at the facts. There is misinformation floating about. There is very concrete evidence that there are economic opportunities to be had here.

Jenny Chapman of 81 Glendale Road on Bent Mountain, Virginia stated she is not opposed to wind energy; she is however opposed to industrial wind energy on Poor Mountain. She advised that is because she is opposed to wind energy anywhere that does not make sense. To her, a person of some logic and reason, it does not make sense to place wind turbines with the small amount of energy produced does not warrant the greater amount of destruction and disruption to the environment and surrounding community. This Board has not been asked to decide the merits of wind energy, but to decide whether it is appropriate for this place, Roanoke County, specifically Poor Mountain. She asked the Board to consider that above all else and encouraged the Board to pursue research for objective sources, not to be swayed by resources of a large and forceful industry, not to be swaying by inflammatory rhetoric and not to be swayed by the influence of the powerful. She stated she appreciated the Board efforts and urged continued diligence and objectivity. She also asked something of everyone in the room as well and that is to not allow the issue to alienate ourselves from one another, that we not use divisive language tossing around words like "patriotism", glibly or spuriously. Obviously everyone here has come to their conclusions through effort and research. It benefits us as citizens to listen to one another respectfully. One of this country's founding principles insures the ability to

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express our thoughts and beliefs, let us honor that in one another; that is what true patriots would support.

Rob Lawson of 2602 Mallard Drive in Roanoke County stated he moved here eight (8) years ago from the DC area. His family was looking for better schools and had heard evidence from friends telling us what a great school system was here in Roanoke so on a whim drove down Interstate 81 one day looking for more affordable housing, better schools and was astonished at what we saw, how beautiful it was. One of the days we came down they drove over the top of Valhalla and came across the mountain there and said to himself this is just a spectacular community, this is where he wanted to stay. When his family came down they had a choice between Roanoke or Charlottesville and they checked them both out. Charlottesville was a little cheaper and closer to DC, but once they saw the mountains and learned more about Roanoke we were convinced and never bothered to look at Charlottesville. He stated he remembered the day he drove over the mountain and saw the ridgelines and in fact how spectacular it was, had he seen, and this is his personal opinion and many may disagree, a whole row of wind turbines he would have said let's go to Charlottesville. On the margin, many people will think like him he is sure and the Sierra Club itself has guidelines on wind energy and they are strongly in favor and who would not be in favor of clean, renewable energy. It is a great thing, but they also recognize the importance of balancing the impact of this great stuff with our natural surroundings. They specifically state in their guidelines they are opposed to it in areas that have specific or special scenic, natural or environmental value. So, his questioned to the Board, does our mountains, do our ridgelines have special scenic value? If so, and he would say nine (9) out of ten (10) residences would say absolutely, that is our biggest asset, if so, it seems like a no brainer. Why would you redistrict a residential, rural area that many people move to under the expectation that the zoning is consistent, while would it even be on the table to put eighteen (18) structures taller than the Statute of Liberty on the tallest peak around. He stated he was really appreciative of Mr. Cutler's heartfelt change of opinion. Apparently, originally he was against it and he came to the conclusion that he could live with it and if you think about that language, "I can live with it" is not exactly a strong endorsement. He also made the point that they should not be in certain places such as the Blue Ridge Parkway, there is already a road there why not put them right on the Parkway. Secondly, he is not sure why he does not realize you can see them from twenty (20) miles away. So, he hopes the people remember the Commissioner of the Blue Ridge Parkway came up here already, Roanoke is already the most damaged part of the Blue Ridge Parkway and like western North Carolina we can hold off and defer decision. He thinks they have put a ridgeline decision into effect in western North Carolina where they are not considering it.

Bryan DuGrenier of 8733 Plantation Road stated he would just like to express that he is part of the Dabney Lancaster wind turbine technician program. He is due to graduate at the end of this year and obviously will have to relocate because there is nothing to work on in Roanoke County yet. He stated he got the opportunity to go to

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a wind farm in West Virginia, stand right beneath one and strained to hear a sound from it. He stated he is strongly in favor of Roanoke moving forward with twenty first (21<sup>st</sup>) century technology and he is sure there are plenty of other kids around that are looking forward to that as well.

Joseph Tamez of 5740 Equestrian Drive stated he is a pediatrician who helps take care of children with respiratory problems and is an advocate for renewable energy in of itself. From the standpoint of having the opportunity to potentially reduce our dependence on fossil fuels for energy sources has impact on the respiratory health of the children that he serve is one that he strongly advocates for. He stated he thinks the only way we will begin to do this is to take the first step and thinks this ordinance is a reasonable and conscience first step.

Kathy Davieds of 1560 Bottom Creek Lane on Bent Mountain, Virginia sated before attending Virginia Tech veterinary school she obtained a Bachelor's degree in Environmental Science and looked at the US Fish and Wildlife Service for a solar energy company and as a planner for a planning commission in Tidewater, Virginia she is an ardent supporter of alternative, clean energy sources. Tonight, she has heard a number of people state they are in favor of wind power. Well, nothing exists in a vacuum and this is kind of like saying one is in favor of surgery; for everyone, always? Surgery, when indicated, can be a useful thing. Amputating a diseased limb has positive outcomes, amputating a healthy limb removes forever the use of that resource. All of the world, not just in this county, people living in proximity to industrial wind turbines are reporting debilitating, adverse health effects. Injuries to their health resulting of loss of ability to function normally, sometimes even to work and sometimes necessitating that they abandon long time family homes. Can this really be a global conspiracy? Are people of different countries, even different languages all "making this up" in an effort to destroy wind power? Were there no concerns regarding potential adverse impacts of the health and quality of life of Roanoke County residents we might not even be here tonight. She stated she heard one speaker refer to harming the "practicality of locating wind turbines," but the same speaker gave no mention to the potential of harming the health of County residents. Responsible ordinances need to err on the side of caution to insure the protection of the health and well being of area residents and of as another speaker referred to "this place." She stated she would leave the Board with the question, if Roanoke County was to benefit from \$300,000 in annual tax revenue from an industrial wind turbine project, but if 600 County residents were to suffer debilitating health effects from same, that would equate to \$500 per head per County resident. Is this an acceptable price to place on the potential destruction of lives of County residents?

Virginia Hardin of 3044 Stoneybrook Drive in the County and the Board can see she is green. She recycles, she carries cloth bags to the grocery store, and she does not water her lawn just because we are in a dry spell. She stated she cares about the environment. She stated she would like to live in a passive solar home with solar collectors on the roof, She might even consider having a small wind mill in her

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backyard if she had a big enough backyard, but she draws the line on having windmills in this beautiful valley, up on the mountain where we can all see them. She stated when we were transferred to Roanoke fifty-eight (58) years ago; they deliberately bought a home in SW Roanoke County because that was as close as they would get to the Blue Ridge Parkway. They have camped as a family from the Shenandoah Valley to the Smokey Mountains. They often go up Route 221 to Bent Mountain and head in either direction just to take a ride on the Parkway or take a picnic lunch. It is cooler up there. It is quiet. It is beautiful. It is peaceful. She stated she and her family are against this windmill project. She does not want to see them when they are driving around the valley. She does not want to hear them when she is on the Parkway. Virginia has always been a green state to her. It is beautiful; we are blessed with so much in Virginia, the seashore, lakes, flat land, rolling land, hills, mountains, valleys and forests. People visit Virginia to enjoy its natural beauty. If the Board approves these windmills, it is just not our county that will be effected it will be the surrounding counties as well. If any companies want to build windmills, let them do it where they are located, in their own backyard. For instance a company out of Chicago, they can put them in Lake Michigan for all she cares, but please not here. Virginia is for lovers because our scenery is beyond beautiful and she would like to keep our valley that way. She stated she is so proud of everyone that came tonight because they disagreed in an agreeable manner; this is the way we ought to do it.

James Garris of 3108 Honeywood Lane in the Cave Spring Magisterial District, Ogden Precinct or better known as "downtown Tanglewood". He stated he does not have a position tonight on wind power or wind turbines. He stated the Board needs to cut through those issues to the simple question. Should we put in some groundwork, some framework for us to work from if an applicant or project comes forward. As some of the audience individually knows, he has been a citizen activist and a JC involved with many political organizations over many issues over many years. He stated from his personal experience when the groundwork is not in place, things quickly go haywire, you have a lot more trauma, a lot more passions and unfortunately it is kind of like stepping into something you really do not want to step into like that well used cow pasture after a three-day hard rain and you have to traverse across it. It is not a pleasant journey. He hopes the County can avoid that by adopting some sort of framework of rules of what is expected in terms of information from an applicant to what the citizens and county can look forward to and the applicant can also know what process they have to go through. He stated he thinks that will put us on a better course for whatever project may come up. He stated he knows there are some concerns for certain language in this. He believes if the staff can work continuously on the regulations even after they are adopted as new information comes available, the County can probably work through those issues. So tonight he is encouraging the Board to vote for this and to enact some ground rules to get us started if an applicant comes forward. Last, he stated to both sides that if an applicant comes forward with this process in place, they still get to come forward with their views and there gets to be a

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vote and to those especially who have a “not in my backyard” idea, some of which have a power substation right next door to us and because of the way the regulations are, this Board and his supervisor did not get to vote on it. At least there will be a process in place for you to come back on that individual applicant and that individual project and then vote on it. That is why avoiding all that mess and having a framework is so critically important and he encourages the Board to vote for it.

Susan Edwards from 4121 Givens Road in the Catawba Magisterial District thanked the Board for holding the public hearing. As many as talked to the Board this evening, a lot of people live in the Roanoke Valley for what is here, for the beauty that our community enjoys, but a lot of people live in rural areas specifically for what is not there. This is a beautiful area and the ordinance is a tool that we use in planning to look at proper citing and in this case you are talking about an industrial activity in a rural area. Think about the consideration that you would want if you were going to use a special use process to determine should you put an Asphalt Plant, a coal-fired power plant there, should you put a nuclear power plant. This is an industrial activity in a rural area. She stated she wanted to specifically talk to three items. In the draft ordinance, under the shadow flickering section, she believes it is Article IV, 30-87-7b6, under flickering she recommends a change in wording that would be that the applicant shall demonstrate rather than has the burden of proving. When an industrial project comes forward, they are used to doing models. There are canned programs already in place. We need to tell them in our ordinance; you shall demonstrate that the effect does not have significant adverse effect on neighboring and adjacent uses through the appropriate citing of the facility. In a previous Planning Commission meeting, this was suggested but the modeling requires seasonal and time of day variability in evaluating the shadow flicker effect on adjoining properties. The draft ordinance goes into a lot of detail regarding airport, FAA requirements. She would like to have the County include requirements to submit data from any other regulatory review process so that the Board can consider that information, including the Department of Environmental Quality Permit by Rule requirement. The Department of Game and Inland Fishery, The Department of Conservation and Recreation, Department of Forestry, Department of Historic Resources and the U.S. Department of Fish and Wildlife Services. The wind industries have to submit these studies to those bodies, the Board needs to look at those things and if you only ask for the FAA requirements that is all you will get. The Board needs to include every regulatory application to be copied. There is another thing that she wanted to bring up but she does not have time, it was five (5) decibels above background noise on their model for sound. Have them do a study of the model sound with five (5) decibels.

Tammy Belinsky of 9544 Pine Forest Road in Copper Hill, Virginia stated she has with her a copy of the existing portion of the Roanoke County zoning ordinance that is relevant to this proposed amendment to the ordinance. In Section 30-3 describes the purpose of the exiting ordinance and sets forth all of the criteria for considering amendments to the ordinance. She stated she is a scientist and an



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attorney so by training she is very methodical. She advised she crafted a freedom of information act request and sent it to the County specifically asking for the basis for changing the ordinance as proposed. The change being the classifications or land uses in the agricultural rural preserve district, the agricultural rural low density district, low density industrial district, high density industrial district. She stated her request was focused on or crafted this in any case on why the support for changes to the agricultural preserve and agricultural district, low density residential district. The information that came back was a dump of information, so there was no thought or consideration given. The Board's job, this Freedom of Information Act request represents the path of the County at this time. Thirty-six (36) pointed questions drawn specifically from the proposed ordinance and the existing ordinance, that is what your job is and none of these questions were answered. There has been no work done in two (2) years. She stated she also has information from the National Weather Service, National Oceanic and Atmospheric Administration. Their review of the proposed project on Poor Mountain in Roanoke County is being submitted to the Board for their review. It includes a curtailment during severe weather events, guidelines, they have been asked to do that if they build this development. If you take into consideration that curtailment and the curtailment that is going to be required because of the presence of Indiana bats. The benefit of this project will not come to fruition, they will not be able to operate as they will be asked to curtail for nuisance conditions, bats, and interference with national service radar. It is no telling how many more. The soul of Roanoke County is in the agricultural preserve district; do not sell the County's soul.

Robert Johnson of 9964 Patterson Drive in Bent Mountain, Virginia stated her comments of the lack of excavation and grading debris disposal provisions in the ordinance are on record from the last meeting. Since then she has toured the Mt. Storm West Virginia Industrial Wind Park on a calm day with little wind, ten (10) miles per hour. It urged a seemingly benign complacency. Later she realized just why Mt. Storm works as an industrial wind park, and those are Dominion Electric Power's words, Industrial Wind Park. Why it works, whereas our steep mountains in Roanoke County would not work. First of all, Mt. Storm is on the site of a former strip mining operation and is in view of a coal-fired power plant. The land is more plateau- like than mountainous. It is sparsely wooded and is mostly pasture and the tailings from that previous mining operation. There are existing paved roads, probably from that coal-fired power plant being there and because of that they were able to handle the transport of one hundred and thirty five (135) foot turbine blades on two tandem flatbed trucks. They are contemplating one hundred and sixty five (165) foot blades coming up Bent Mountain. It is hard enough to drive up Bent Mountain. There are broad, flat areas at Mt. Storm for the assembly that went on of the wind turbines and for the substation. Excavation and grading debris was used to reclaim strip-mined areas not dumped into mountain hollows. While there are bat kills there and they admit that, they are trying to lessen them. There are a few hawk kills. Apparently, Mt. Storm is not in the path of hawk migration as it is on Poor Mountain in Roanoke County. Roanoke. Mt. Storm is

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appropriate for an industrial wind park, but every wind place on earth is not an appropriate site for turbines. Roanoke County Mountains are not. These rural preserve zoning districts are not. These scenic, biodiverse wonders that grace our valley with their crowns above are not an appropriate site. We have to decide where on earth we are going to preserve things or there will not be place in preserving them at all. She advised she was leaving some pictures of Mt. Storm Industrial Wind Park that will clearly show this is an industrial zone and not a rural preserve.

Chairman Church closed the public meeting and advised as previously indicated this agenda item will be postponed to September 13, 2011 at 7:00 p.m. for further discussion by the Board.

**IN RE:        REPORTS AND INQUIRIES OF BOARD MEMBERS**

Supervisor Elswick advised he has come across the Smithsonian Magazine which has an article in it about "The Crooked Road", Floyd and all those places along "The Crooked Road" that is very interesting with favorable comments towards the area and also has an article Finland's remarkable public schools, which some people might be interested in.

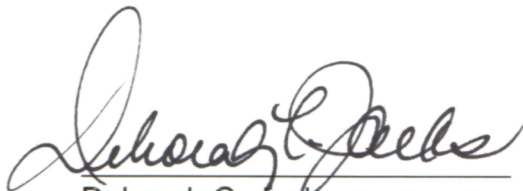
Supervisor Church thanked everyone for participating in today's meeting.

**IN RE:        ADJOURNMENT**

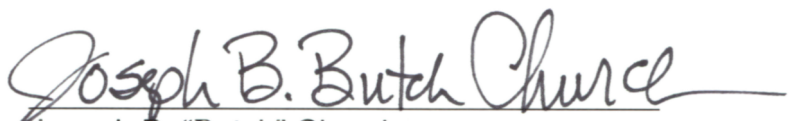
Chairman Church adjourned the meeting at 9:52 p.m.

Submitted by:

Approved by:



Deborah C. Jacks  
Clerk to the Board



Joseph B. "Butch" Church  
Chairman